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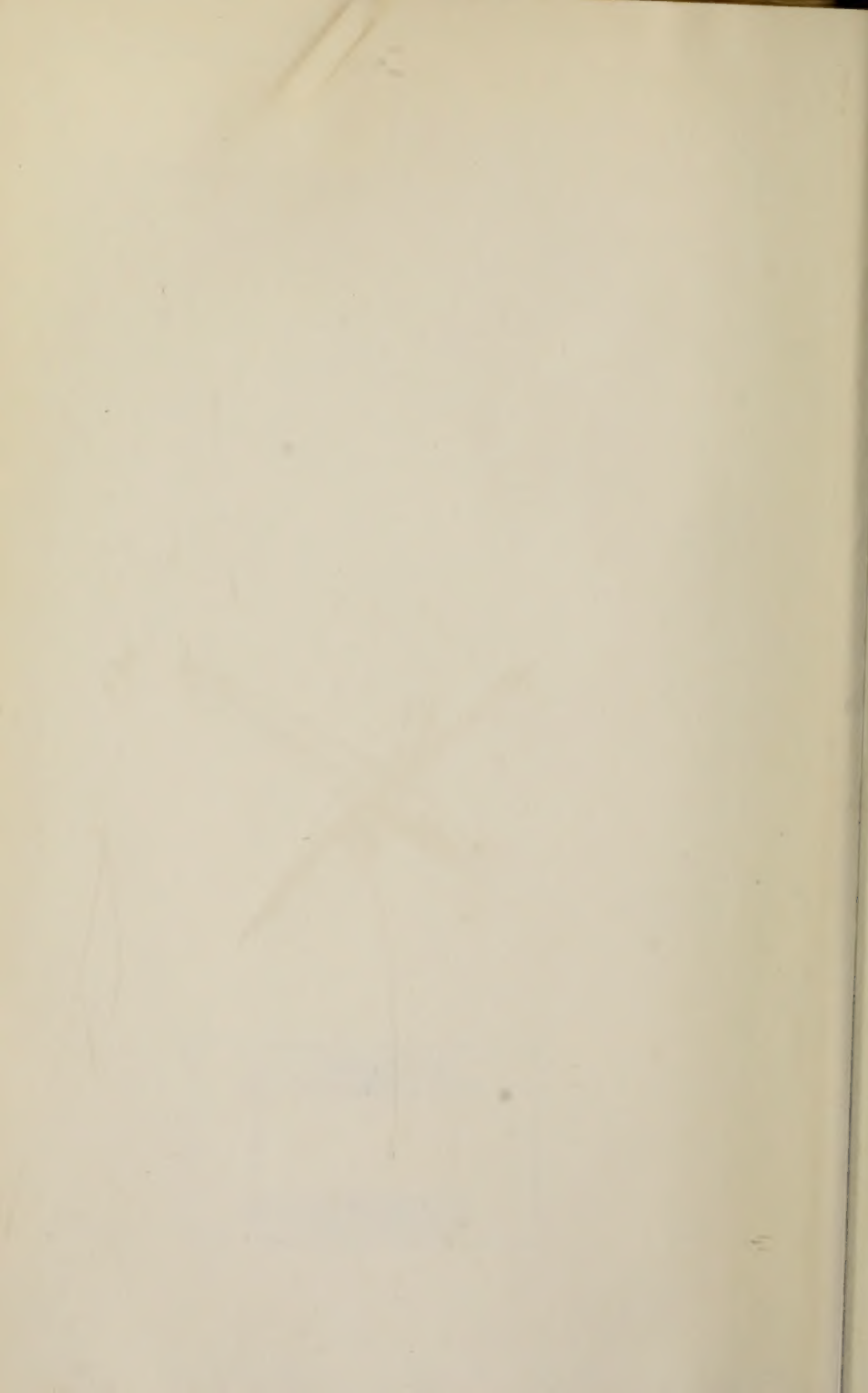


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Volume 1
Journal of the Senate

Legislature of the State of California
Fifty-seventh (General) Session
1947

First Part of Session, January Sixth to February Fifth, Inclusive
Second Part of Session, March Seventeenth to
June Twentieth, Inclusive



HON. GOODWIN J. KNIGHT
President of the Senate

HON. HAROLD J. POWERS
President Pro Tempore

J. A. BEEK
Secretary

Volume 1

Journal of the Senate

Legislature of the State of Colorado

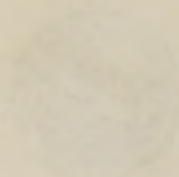
First Session, 1875-76

1876

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1876

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CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, January 6, 1947

The hour of 12 o'clock m. having arrived, Hon. Herbert W. Slater, Senator of the Twelfth District, Senior Senator of the Senate, in accordance with Article IV, Section 2, of the Constitution of the State of California, called the Senators and Senators-elect to order, and announced that the Fifty-seventh Session of the Legislature of the State of California was about to convene, and informed the Senators that the officers of the Senate during the Fifty-sixth Session of the Legislature, Joseph A. Beek, Secretary; John F. Lea, Minute Clerk; and Joseph F. Nolan, Sergeant-at-Arms, were in their respective places in the Senate Chamber as required by Section 9150 of the Government Code.

PRAYER

By invitation of the President, prayer was offered by Rev. Dr. Clarence A. Kircher, Chaplain of the Senate for the Fifty-sixth Session.

LEAVE OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day: Senator Dorsey, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Clarence Clifton of Sacramento; William C. Dillinger of Placerville; and Albert Lewis of Placerville.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Dorothy Cragen, Superintendent of Schools, Lone Pine, California; and William J. Bower, Principal of High School, Lone Pine, California.

On request of Senator Mayo, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elmer Raymond Mayo of Angels Camp.

RESOLUTIONS

The following resolution was offered by Senator McCormack:

Senate Resolution No. 1

Resolved, That the hold-over Senators take their seats, and that the Senators-elect proceed to the bar of the Senate, and take their oath of office on the certificate furnished by the Secretary of State.

Resolution read, and on motion of Senator McCormack, adopted.

CERTIFICATE FROM SECRETARY OF STATE

By direction of the President, the Secretary read the following certificate of duly elected Senators of the Fifty-seventh Session of the Legislature of the State of California.

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE

I, FRANK M. JORDAN, Secretary of State of the State of California, do hereby certify that the following is a complete list of the hold-over State Senators, together with those duly elected at the General Election held on the fifth day of November, A.D. 1946, to represent the people of the State of California at the Fifty-seventh Session of the Legislature of said State, as appears from the statement of vote received from the county clerks of the various counties comprising the several senatorial districts of the State of California, said statement of vote being a record of and on file in my office, viz.:

Hold-Over State Senators

Name	District	County or Counties Comprising District
Harold J. Powers	First	Modoc, Lassen, Plumas
Irwin T. Quinn	Third	Humboldt
Oliver J. Carter	Fifth	Trinity, Shasta
Vacancy	Seventh	Sierra, Nevada, Placer
H. E. Dillinger	Ninth	El Dorado, Amador, Alpine
Frank L. Gordon	Eleventh	Napa, Yolo
Thomas F. Keating	Thirteenth	Marin
Thomas McCormack	Fifteenth	Solano
T. H. DeLap	Seventeenth	Contra Costa
Earl D. Desmond	Nineteenth	Sacramento
Harry L. Parkman	Twenty-first	San Mateo
H. R. Judah	Twenty-third	Santa Cruz
Fred Weybret	Twenty-fifth	Monterey, San Benito
R. R. Cunningham	Twenty-seventh	Kings
Chris N. Jespersen	Twenty-ninth	San Luis Obispo
Clarence C. Ward	Thirty-first	Santa Barbara
James J. McBride	Thirty-third	Ventura
Clyde A. Watson	Thirty-fifth	Orange
Nelson S. Dilworth	Thirty-seventh	Riverside
Ben Hulse	Thirty-ninth	Imperial

State Senators-Elect

Name	District	County or Counties Comprising District
Randolph Collier	Second	Del Norte, Siskiyou
Burt W. Busch	Fourth	Mendocino, Lake
Charles H. Deuel	Sixth	Butte
Louis G. Sutton	Eighth	Tehama, Glenn, Colusa
W. P. Rich	Tenth	Yuba, Sutter
Herbert W. Slater	Twelfth	Sonoma
Gerald J. O'Gara	Fourteenth	San Francisco
Arthur H. Breed, Jr.	Sixteenth	Alameda
Byrl R. Salsman	Eighteenth	Santa Clara
Bradford S. Crittenden	Twentieth	San Joaquin
Hugh P. Donnelly	Twenty-second	Stanislaus
George J. Hatfield	Twenty-fourth	Merced, Madera
Jesse M. Mayo	Twenty-sixth	Tuolumne, Mariposa, Calaveras
Charles Brown	Twenty-eighth	Mono, Inyo
Hugh M. Burns	Thirtieth	Fresno
J. Howard Williams	Thirty-second	Tulare
Jess R. Dorsey	Thirty-fourth	Kern
Ralph E. Swing	Thirty-sixth	San Bernardino
Jack B. Tenney	Thirty-eighth	Los Angeles
Fred H. Kraft	Fortieth	San Diego

(SEAL)

WITNESS my hand and the Great Seal of the State of California, at office in Sacramento, this sixth day of January, A.D. 1947.

FRANK M. JORDAN, Secretary of State

CERTIFICATE OF ELECTION

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE

Certificate of Election

I, FRANK M. JORDAN, Secretary of State of the State of California, do hereby certify that

CLYDE A. WATSON

was elected to the Office of State Senator Thirty-Fifth Senatorial District at the Special Election held in said district on the fifth day of November, 1946, as appears by the official returns of said election and statement thereof on file in my office.

(SEAL)

WITNESS my hand and official seal this thirtieth day of December, 1946.

FRANK M. JORDAN, Secretary of State

OATH OF OFFICE OF SENATOR WATSON

State of California, }
County of Orange, } ss.

I, B. J. Smith, County Clerk of the County of Orange, State of California, and ex officio Clerk of the Superior Court thereof, which is a court of record having a seal, hereby certify that Honorable Kenneth E. Morrison, whose name is subscribed to the above certificate of qualification, was at the date thereof a Judge of the Superior Court of the State of California, in and for said county, duly elected and qualified, that he is authorized to make such certificates; that full faith and credit are due to his official acts as such judge. I further certify that I verily believe that the signature attached to said certificate is genuine and that said certificate is executed according to the laws of the State of California.

Witness my hand and the seal of said superior court, this twenty fourth day of December, 1946.

B. J. SMITH, County Clerk and ex officio Clerk of the
Superior Court of the State of California in and for the County of Orange

(SEAL)

State of California, }
County of Orange, } ss.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of State Senator Thirty-Fifth Senatorial District of the State of California according to the best of my ability, so help me God.

CLYDE A. WATSON

Subscribed and sworn to before me, this twenty-fourth day of December, 1946.

(SEAL)

KENNETH E. MORRISON, Judge of the Superior Court,
County of Orange, State of California

Received Sacramento, Calif., Dec. 28, 1946, 9.48 a.m.

FRANK M. JORDAN,
Secretary of State, State of California

CERTIFICATE OF SECRETARY OF SENATE

SENATE CHAMBER, SACRAMENTO, CALIFORNIA, January 6, 1947

To the Senate of the State of California

This is to certify that I have this day received from the Secretary of State the following Oath of Office.

J. A. BEEK, Secretary of Senate

OATH OF OFFICE OF SENATOR SLATER

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator, Twelfth Senatorial District, according to the best of my ability.

HERBERT W. SLATER

Subscribed and sworn to before me, this sixth day of January, A.D. 1947

FRANK M. JORDAN, Secretary of State

ROLL CALL OF HOLD-OVER SENATORS

The President directed the Secretary to call the roll of hold-over Senators.

The roll was called, and the following answered to their names:

Senators Carter, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Gordon, Hulse, Jespersen, Judah, Keating, McBride, McCormack, Parkman, Powers, Quinn, Slater, Ward, Watson, and Weybret—20.

ROLL CALL OF SENATORS-ELECT

The President directed the Secretary to call the roll of Senators-elect.

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Deuel, Donnelly, Hatfield, Kraft, Mayo, O'Gara, Rich, Salsman, Sutton, Swing, Tenney, and Williams—18.

OATH OF OFFICE ADMINISTERED

The Senators-elect, as their respective districts were called, then came forward, presented their certificates of election, and each took and subscribed to the following constitutional oath of office, administered by the Honorable Rolfe L. Thompson, Associate Justice of the Third District Court of Appeal:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of the Office of State Senator according to the best of my ability.

ROLL CALL

The President called the Senate to order, and directed the Secretary to call the roll.

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

Whereupon the President announced their qualification, and declared that a quorum of all Senators was present.

TEMPORARY ORGANIZATION EFFECTED

Temporary organization having been effected, the President put the question, "What is the pleasure of the Senate"?

RESOLUTIONS

The following resolution was offered:

By Senator Swing:

Senate Resolution No. 2

Resolved, That the Senate do now proceed to the election of the following statutory officers in the order named:

President pro Tempore;
Secretary of the Senate;
Sergeant-at-Arms;
Minute Clerk, and
Chaplain.

Resolution read, and motion of Senator Swing, adopted.

NOMINATIONS FOR AND ELECTION OF PRESIDENT PRO TEMPORE OF THE SENATE

The President thereupon declared nominations for the office of President pro Tempore of the Senate in order.

Senator DeLap placed in nomination for the office of President pro Tempore of the Senate the Honorable Harold J. Powers of Modoc, Lassen, and Plumas Counties, State Senator from the First District.

On motion of Senator Parkman, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following results:

FOR SENATOR HAROLD J. POWERS—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—37.

NOES—None.

Whereupon the President declared Senator Harold J. Powers of Eagleville duly and unanimously elected President pro Tempore of the Senate.

NOMINATIONS FOR AND ELECTION OF SECRETARY OF THE SENATE

The President declared nominations for the Office of Secretary of the Senate in order.

Senator Mayo placed the name of Joseph A. Beek of Balboa in nomination for Secretary of the Senate.

On motion of Senator Deuel, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

FOR JOSEPH A. BEEK—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

NOES—None.

Whereupon the President declared Joseph A. Beek of Balboa duly and unanimously elected Secretary of the Senate.

NOMINATIONS FOR AND ELECTION OF SERGEANT-AT-ARMS

The President declared nominations for the Office of Sergeant-at-Arms of the Senate in order.

Senator Slater placed the name of Joseph Francis Nolan of Los Angeles in nomination for Sergeant-at-Arms of the Senate.

On motion of Senator Jespersen, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

FOR JOSEPH FRANCIS NOLAN—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

NOES—None.

Whereupon the President declared Joseph Francis Nolan of Los Angeles duly and unanimously elected Sergeant-at-Arms of the Senate.

NOMINATIONS FOR AND ELECTION OF MINUTE CLERK OF THE SENATE

The President declared nominations for the Office of Minute Clerk of the Senate in order.

Senator Breed placed the name of John F. Lea, of Sacramento in nomination for Minute Clerk of the Senate.

On motion of Senator Mayo, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

FOR JOHN F. LEA—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jaspersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—37.

NOES—None.

Whereupon the President declared John F. Lea of Sacramento duly and unanimously elected Minute Clerk of the Senate.

NOMINATIONS FOR AND ELECTION OF CHAPLAIN

The President declared nominations for the Office of Chaplain of the Senate in order.

Senator Desmond placed the name of Dean William C. Pearson of St. Paul's Episcopal Church in nomination for Chaplain of the Senate.

Senator Quinn moved the nominations be closed.

Motion carried.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

FOR DEAN WILLIAM C. PEARSON—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jaspersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—37.

NOES—None.

Whereupon the President declared Dean William C. Pearson duly and unanimously elected Chaplain of the Senate.

OATH OF OFFICE ADMINISTERED

The newly elected officers of the Senate, Senator Harold J. Powers, President pro Tempore; Joseph A. Beck, Secretary; Joseph Francis Nolan, Sergeant-at-Arms; John F. Lea, Minute Clerk; and Dean William C. Pearson, Chaplain of the Senate, appeared at the bar of the Senate, where the constitutional oath of office was administered to them by the Honorable Rolfe L. Thompson, Associate Justice of the Third District Court of Appeal, and they subscribed to the same.

Senator T. H. DeLap Presiding

At 12.27 p.m., Senator T. H. DeLap of the Seventeenth District, presiding.

RESOLUTIONS

The following resolutions were offered :

By Senator DeLap :

Senate Resolution No. 3

Resolved, That the following members be and the same are hereby elected members of the Senate Committee on Rules :

Senators Brown, Deuel, Salsman, and Hatfield.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybert, and Williams—38.

NOES—None.

By Senator Powers :

Senate Resolution No. 4

Resolved, That the following rules be and the same are hereby adopted as the Standing Rules of the Senate at its Fifty-seventh Session.

STANDING RULES OF THE SENATE**Convening and Sessions****Hour of Meeting**

1. The Senate shall meet at 11 a.m., daily, except Sundays, unless otherwise ordered by the Senate.

Calling to Order

2. The President, President pro Tempore, or senior member present shall call the Senate to order at the hour stated, and if a quorum be present shall proceed with the order of business.

Attendance of Members

3. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directly to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State:

Order of Business

4. The order of business shall be as follows :

1. Roll Call.
2. Prayer by the Chaplain.
3. Leaves of Absence.
4. Privileges of the Floor.
5. Communications and Petitions.
6. Messages from the Governor.
7. Messages from the Assembly.
8. Reports of Committees.
9. Motions, Resolutions and Notices.
10. Introduction and First Reading of Bills.
11. Special Orders.
12. Unfinished Business.
13. Consideration of Daily File.
14. Announcement of Committee Meetings.
15. Adjournment.

Executive Sessions

5. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant at Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

Officers of the Senate

The President

6. The Lieutenant Governor shall be the President of the Senate. He shall have a casting vote when the vote is equally divided and his vote will decide the issue.

The President shall maintain order in the Senate Chamber and in case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

The President Pro Tempore

7. The President pro Tempore shall, in the absence of the President, take the chair and call the Senate to order, at the hour of the meetings of the Senate, and shall have the same powers as the President.

It shall be the particular responsibility of the President pro Tempore to secure the prompt and businesslike disposition of bills and other business before the Senate.

The Vice Chairman of the Committee on Rules shall, in the absence of the President pro Tempore, perform the duties, and have all powers and authority of the President pro Tempore.

Presiding by Senators

8. The President pro Tempore of the Senate may name any Senator to perform the duties of the Chair in the absence of the President. The Senator so named shall be vested, during such time, with all the powers of the President.

Secretary of the Senate

9. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

He shall superintend all printing and clerical work to be done for the Senate and shall have supervision over all attaches and employees of the Senate. He shall assign, reassign or transfer all attaches or employees to their respective duties.

He shall certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

He shall also keep a correct Journal of the proceedings of the Senate, and shall notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

The Secretary of the Senate shall have custody of all bills, documents, papers and records of the Senate and shall not permit any such bills, records or papers to be taken from the desk or out of his custody by any person, except in the regular course of the business of the Senate.

All employees on the pay roll of the Senate are employees of the Senate and not of individual members and they are under the direct control of the Secretary of the Senate. Any insubordination or inefficiency on the part of any employee shall be reported by the Secretary to the Committee on Rules or if a Committee on Attaches be appointed, then to that committee.

Sergeant-at-Arms of the Senate

10. The Sergeant-at-Arms shall attend the Senate during all of its sittings, execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and for traveling expenses for himself and special messenger going and returning shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant at Arms to keep the accounts for pay and mileage of Senators.

The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and Journals, Histories and Files, when printed, on the desks of Senators, at least one hour previous to the opening of session.

Committees of the Senate

Appointment of Committees

11. The Committee on Rules shall consist of the President pro tempore of the Senate, who shall be the chairman of the committee, and four other members of the Senate to be elected by the Senate.

The Committee on Rules shall appoint all other committees of the Senate unless otherwise directed by the Senate and shall designate a chairman of each committee so appointed and a vice chairman of each standing committee.

In making committee appointments, the Committee on Rules shall give consideration to seniority, preference, and experience; provided, however, that in making committee appointments, the Rules Committee shall, so far as practical, give equal representation to all parts of the State.

The Senate Committee on Finance shall consist of four Senate Members of the Legislative Budget Committee and seven additional Members of the Senate appointed by the Committee on Rules.

Ten days before the commencement of any regular session of the Legislature, the Secretary of the Senate shall mail to each member a blank, in a form approved by the Rules Committee, on which the member may indicate his committee preferences and with such blank shall be mailed a stamped envelope addressed to the Rules Committee, care of the Secretary, for the convenience of the member in returning such form with his preferences thereon. All such communications shall be retained by the Secretary unopened and shall be delivered to the Rules Committee immediately upon the organization of the Senate.

Standing Committees

12. The standing committees of the Senate, the number of members, and subjects to be referred to each are as follows:

1. Agriculture, 11 members. All bills amending the Agricultural Code and uncodified legislation relating to the same subject.

2. Business and Professions, 9 members. All bills amending the Business and Professions Code and uncodified legislation relating to the same subjects.

3. Education, 9 members. All bills amending the Education Code or relating to the University of California and any uncodified legislation relating to either.

4. Elections, 9 members. All bills amending the Elections Code or uncodified legislation relating to the same subject and constitutional amendments, after consideration by committees having jurisdiction of the appropriate subjects, for consideration of any question relating to submission to the voters.

5. Finance, 11 members. All appropriation bills including the Budget Bill and claim bills but excepting appropriations from the funds of the Senate made by resolution.

6. Financial Institutions, 9 members. All bills amending the Insurance Code and bills amending the Bank Act, Building and Loan Act, Corporate Securities Act and acts relating to the loan of money and credit unions, and any other legislation relating to these subjects.

7. Fish and Game, 11 members. All bills amending the Fish and Game Code, and uncodified legislation relating to the same subject.

8. Governmental Efficiency, 11 members. All legislation not specifically referred to another committee relating to:

- a. State policy
- b. New state functions
- c. State property
- d. Reorganization
- e. State employees

9. Judiciary, 13 members. All bills amending the following codes:

- a. Civil Code
- b. Code of Civil Procedure
- c. Probate Code
- d. Penal Code, and

e. All statutes of a penal nature not related closely to a subject embraced in some other code.

10. Labor, 7 members. All bills amending the Labor Code and uncodified legislation relating to the same subject.

11. Local Government, 9 members. All bills relating to

- a. County government
- b. Municipal corporations
- c. Special assessment and other local districts when not regulated by the provisions of some other code and uncodified legislation on the above subjects.

12. Military and Veterans Affairs, 9 members. All bills amending the Military and Veterans Code and uncodified legislation relating to the same subjects.

13. Natural Resources, 9 members. All bills amending the Public Resources Code and uncodified legislation relating to mines and mining, oil, forestry, parks, and to the public domain.

14. Public Health and Safety, 9 members. All bills amending the Health and Safety Code and uncodified legislation relating to the same subjects.

15. Public Utilities, 9 members. All legislation relating to public utilities and their regulation and not embraced within any other code.

16. Revenue and Taxation, 11 members. All bills amending the Revenue and Taxation Code and other uncodified legislation relating to state and county taxes.

17. Rules, 5 members. All proposed amendments to the Rules, and all resolutions relating to the business of the Senate which are not acted upon without reference to committee.

18. Welfare and Institutions, 11 members. All bills amending the Welfare and Institutions Code and uncodified legislation relating to the same subject or to public aid.

19. Transportation, 13 members. All bills amending the

a. Vehicle Code

b. Streets and Highways Code

c. Harbors and Navigation Code, and

d. Uncodified legislation relating to the same subjects or to aviation.

20. Water Resources, 9 members. All bills amending the Water Code and uncodified legislation relating to the same subject.

The standing committees of any regular session shall be the standing committees of succeeding special or extraordinary sessions unless otherwise ordered by the Senate.

Committee on Rules

13. The Committee on Rules is charged with the general responsibility for the administrative functioning of the Senate. The committee shall also have the duty of making recommendations designed to promote, improve and expedite the business and procedure of the Senate, and of proposing any amendments to the Rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment thereof and until the convening of the next regular session and shall have the same powers and duties as while the Senate is in session. In addition to any other authority vested in the committee it shall have authority to fill vacancies in any Senate committee or in the Senate Membership of any Joint Committee. In dealing with any matter within its jurisdiction the committee and its members shall have all authority granted to Investigating Committees by the Joint Rules, and particularly by Joint Rule No. 36 as they now exist or may hereafter be amended. The committee may make available to any Senate or Joint Committee or Member of the Senate such assistance in connection with the duties of the committee or other legislative matters as the personnel under the direction of the committee or its other facilities permit.

The Committee on Rules will constitute the Committee on Introduction of Bills and shall have charge of engrossment and enrollment of bills, contingent expenses of the Senate and legislative printing except insofar as these functions are delegated to the Secretary of the Senate, and of attaches unless a Committee on Attaches is appointed.

The rooms, passages and buildings set apart for the use of the Senate shall be under the direction of the Committee on Rules and the committee may assign the press desks in the Senate Chamber to accredited newspaper representatives.

Executive communication of nominations sent by the Governor to the Senate for their confirmation, shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, without debate.

Schedule of Committee Meetings

14. The Committee on Rules shall propose to the Senate such schedules for regular meetings of the standing committees as will permit a full attendance of their members without conflict of committee engagements.

The committee may also propose such special committee meetings or special schedules of committee meetings as will facilitate the business of the Senate. Such schedules may provide a special schedule of committee meetings or upon certain days of the week or to meet any special condition which may arise.

Quorum of Standing Committees—Vote

15. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal.

Powers of Standing Committees

16. Each standing committee of the Senate to which a proposed law or bill is assigned shall have full power and authority during the session of the Legislature or any recess thereof, to make such investigation and study of and concerning any such proposed law or bill as such committee shall determine necessary to enable it to properly act thereon.

In the exercise of the power granted by this Rule, each committee may appoint a secretary and adopt such rules as may appear necessary and proper to carry out the powers granted and duties imposed under this Rule. It may employ such clerical, legal and technical assistants as may appear necessary, when money has been made available therefor by the Senate.

Each standing committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

The members of such committees are, and each of them is, authorized and empowered to administer oaths, and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant-at-Arms of the Senate, or other person designated by the Sergeant-at-Arms or by the committee, shall serve any and all subpoenas, orders and other process that may be issued by the committee, when directed to do so upon a vote of the majority of the membership of the committee.

All officers of this State, including the Legislative Counsel and the heads of each department, agency and subdivision thereof, and all employees of such departments, agencies and subdivisions, and all other persons whether connected with the State Government or not, shall give and furnish to these committees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each standing committee was created.

Each standing committee may meet at the State Capitol and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it and may expend such money as may be made available by the Senate for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Special Investigating Committees

17. No committee for the investigation of any special subject shall be appointed except pursuant to a resolution which shall be entered in the Journal and referred to the Committee on Rules, and which shall be approved by a vote of a majority of the members elected to the Senate. The subject and purpose of the investigation shall be expressed in the title of the resolution and the scope of the investigations shall be consistent with the subject and purposes so expressed. No such committee shall have authority to extend its investigations to subjects not so expressed, nor beyond the scope indicated in the resolution. Unless otherwise directed by the resolution any committee so authorized shall be appointed within 20 days after the adoption of the resolution.

No Committee Expenditures Permitted

18. No member of any committee shall be permitted to incur any expense chargeable to the Senate unless authorized by resolution of the Senate.

Procedure and Rules

Joint and Concurrent Resolutions and Constitutional Amendments

19. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; except, that they shall have but one official reading, which reading shall occur after they have been reported by committee.

Parliamentary Rules

20. In all cases not provided for by the Constitution, these Rules, or by the Joint Rules of Senate and Assembly the authority shall be Mason's Manual.

Suspension or Amendment of Rules

21. No standing rule of the Senate may be repealed or amended except upon an affirmative vote of a majority of the members of the Senate, one day's notice being given, but any rule not requiring more than a majority vote may be temporarily suspended by a vote of a majority of the members of the Senate. A rule requiring a two-thirds vote on any question may be amended only by a two-thirds vote on one day's notice, and a rule requiring a two-thirds vote may be temporarily suspended only by a two-thirds vote.

All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

Introduction and Reference of Bills

Introduction, First Reading, and Reference of Bills

22. Any Senator desiring to introduce a bill shall send it to the Senate desk.

The Committee on Rules shall check all Senate bills prior to introduction and all Assembly bills before reference to committee and shall designate the committees to which they shall be referred. The provisions of Rule 12, referring to the assignment of bills are intended as a guide to the committee but are not binding upon the committee.

Under the order of Introduction of Bills, the Secretary shall assign a number to each Senate bill, shall read it the first time, shall read the name of the committee to which the bill has been assigned by the Committee on Rules, and unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and after printing the Secretary shall deliver the bills to the committee so designated.

Under the order of Messages from the Assembly the Secretary shall read each Assembly bill the first time, shall read the name of the committee to which the bill has been assigned by the Committee on Rules, and unless otherwise ordered by the Senate without debate the assignment of the bill shall then be complete and the Secretary shall deliver the bill to the committee so designated.

Introduction of Bills by a Committee

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee in the same manner as any member.

Introduction of Bills at Special Sessions

24. Whenever at any special session a bill is received at the desk, under the order of Introduction of Bills, it shall be referred to the Committee on Rules which shall decide whether or not such bill can properly be considered at the session. If in the judgment of the Committee on Rules such bill can be considered it shall report it back and designate the committee to which it shall be assigned. Thereafter it shall be assigned a number by the Secretary, be read first time, and referred to the committee recommended by the Committee on Rules unless otherwise referred on motion without debate.

Senate Resolutions

25. All Senate resolutions upon being presented shall be given a number by the Secretary. Such resolutions shall be printed in the Journal and indexed in the History and Journal.

Bills in Committee

Committee Hearings

26. During the constitutional recess or as soon thereafter as practicable the chairman of each committee shall prepare a schedule of hearings concerning bills referred to the committee. The schedule shall be arranged according to subjects insofar as may be convenient.

The schedules and any changes therein shall be delivered to the Senate as soon as convenient in order that due notice may be given to persons interested in the legislation.

Substitute Committee Bills

27. A committee may amend into one bill related provisions germane to the subject and embraced within the title; and with the consent of the author the committee may constitute such bill a committee bill by striking out of the heading of the bill the line "Introduced by" and the name of the author and substituting therefor "Substitute committee bill of the Committee on" and the name of the committee.

Recalling a Bill from Committee

28. The Senate may at any time by 21 votes recall a bill from committee.

Consideration of Bills

Order of Making Files

29. When bills are reported from committee they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the second reading Senate or Assembly file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the Senate or Assembly third reading file, in the order of reading. Unless otherwise ordered by the Senate the File shall be taken up in the following order: Senate second reading file, Assembly second reading file and Senate third reading file, Assembly third reading file. The bills upon third reading shall be considered in the order in which they appear upon the File, unless otherwise ordered by the Senate.

An inactive file shall be kept to which bills may be transferred at the request of the author, or on motion, and they shall be so transferred when they have been passed on third reading file without action three successive times. Bills may be carried on the inactive file by author and bill number without setting forth the title.

Bills may be transferred from the inactive file to the second reading file on motion, and after being read the second time such bills will take their place regularly on third reading file and be available for consideration and passage.

Notices of committee hearings shall be published in the File whenever presented by chairmen of committees to the Secretary for that purpose. For such purpose bills will be identified by subject or by number.

Special Order

30. Any measure or subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Messages from the Governor or Assembly

31. Messages from the Governor or from the Assembly may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, or while a Senator is addressing the Senate.

Messages from the Governor or from the Assembly may be considered when indicated in the order of business or at any other time by unanimous consent or upon motion.

Engrossing Bills

32. All Senate bills, constitutional amendments and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. Engrossment shall consist of comparing the printed engrossed bill with the original bill introduced and any amendments adopted to ascertain that it is correct. When a bill is reported correctly engrossed it shall be substituted on the File for the original bill.

Enrolling Bills

33. All Senate bills shall be enrolled immediately following their final passage and receipt from the Assembly. An enrolled copy of every such bill, amendment or resolution shall be printed and examined to ascertain that it is a true and accurate copy of the measure as it was passed. It shall then be authenticated by the signatures of the President or President pro Tempore of the Senate and the Secretary or an Assistant Secretary of the Senate and by the corresponding officers of the Assembly and transmitted without delay to the Governor.

Debate

Statement of Motion

34. No motion shall be debated until the same be distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

Regulations as to Speaking

35. 1. When a Senator desires to address the Senate, he shall rise in his place, address the President, and when recognized he may proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

4. No Senator shall be interrupted when speaking, and no question shall be asked him except through the presiding officer.

5. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Order in Debate

36. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

Right to Address the Senate

37. No person other than a member of the Senate or the President thereof, shall address the Senate while it is in session but the Senate may resolve itself into a Committee of the Whole and while sitting as such committee may be addressed by persons other than members.

Questions and Motions

Amendments to Bills

38. When amendments to a bill are reported by a committee or offered from the floor, such amendments shall be submitted in triplicate.

Adoption of amendments to any bill in the Senate prior to third reading, other than by roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments or any part thereof, by the Senate.

Motion to Lay on the Table

39. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

Division of a Question

40. If a question in debate contains more than one distinct proposition, any Senator may have the same divided.

The Previous Question

41. The previous question shall be put in the following form: "Shall the question be now put?" It shall require a majority vote of the Senators present; and its effect shall be to put an end to all debate except that the author of the bill or the amendment shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote.

Call of the Senate

42. Upon a motion being carried for a call of the Senate, the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous roll call. Thereupon, no member shall be permitted to leave the Senate Chamber except by written permission of the President *pro Tempore* or in his absence of the presiding officer. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the Senate and compel the attendance of absentees in the manner above provided.

A call of the Senate may be ordered after the roll has been called and prior to the announcement of the vote.

No recess can be taken during a call of the Senate. During a call, the Senate may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had during a call of the Senate. When a call of the Senate is ordered, pending the announcement of the vote upon the completion of a roll call, the pending roll call shall become **unfinished** business, the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

Reconsideration

43. On the day on which a vote has been taken on any question a motion to reconsider the vote may be made by any member.

The motion may be considered on the day made or on the succeeding legislative day but may not be further postponed without the concurrence of 27 members.

No vote on a Senate bill may be reconsidered on or after the last day fixed for the consideration of Senate bills prior to adjournment and no vote may be reconsidered on the last day of the session.

When reconsideration of the vote by which any bill was passed has been demanded the Secretary shall not transmit it to the Assembly until the demand has been disposed of or the time for reconsideration has expired, but if the bill has already been transmitted to the Assembly the demand for reconsideration shall be preceded by a motion to request the Assembly to return the bill. This motion shall be put to a vote immediately without debate and if not adopted shall preclude a demand for reconsideration.

A demand to reconsider the vote on any debatable question opens the main question to debate and the vote on the reconsideration shall be on the merits of such main question.

Voting by Senate

Voting on Roll Call

44. Whenever a roll call is required by the Constitution or Rules, or is ordered by the Senate or demanded by three members, every member within the Senate shall without debate answer "Aye" or "No" when his name is called.

The names of members shall be called alphabetically.

No Senator shall be permitted to vote or change his vote after the announcement of the vote by the presiding officer.

Excused from Voting

45. When a Senator declines or fails to vote on call of his name he may, after completion of the roll call, and before the announcement of the vote be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which question shall be decided without debate. Unless the Senator is excused from voting he shall be required to vote.

Voting by Presiding Senator

46. When the President *pro Tempore* or any other Member of the Senate is presiding over the Senate he shall vote on roll call the same as though he were not presiding.

Vote Required

47. Unless otherwise required by the Constitution, the Joint Rules of the Senate and Assembly or by these Rules, any action which can be taken by the Senate requires only a majority vote of the Senate, a quorum being present.

The following actions require 30 votes:

1. To introduce bills after the constitutional recess—(Constitution, Art. IV, Sec. 2).

The following actions require 27 votes:

2. To pass urgency measures—(Constitution, Art. IV, Sec. 1).
3. To suspend constitutional provision requiring reading bills on three several days—(Constitution, Art. IV, Sec. 15).
4. To pass bills over the Governor's veto—(Constitution, Art. IV, Sec. 16).
5. To increase or diminish the number of superior court judges or to remove judges—(Constitution, Art. VI, Secs. 9, 10).
6. To propose constitutional amendments or revision of the Constitution—(Constitution, Art. XVIII, Secs. 1, 2).
7. To change rate of taxation for state purposes—(Constitution, Art. XIII, Secs. 14, 16).
8. To authorize deposit of public money in banks—(Constitution, Art. XI, Sec. 16½).
9. To remove a member of the Public Utilities Commission—(Constitution, Art. XII, Sec. 22).
10. To change rates or conditions under the State Employees Retirement System—(Constitution, Art. IV, Sec. 22a).
11. To propose change in location of State capital—(Constitution, Art. XX, Sec. 1).
12. To reconsider the vote by which a concurrent resolution proposing a constitutional amendment is defeated.
13. To suspend the Rule against lobbying in the Senate Chamber.
14. To concur in Assembly amendments to or to adopt a report of a Committee on Conference concerning constitutional amendments or bills which require 27 votes for passage.

The following actions require 21 votes:

15. To amend or suspend the Rules.
16. To pass bills, unless under some other Rule a larger vote is required—(Constitution, Art. IV, Sec. 15).
17. To adopt a concurrent resolution approving a county or city charter or amendment thereto—(Constitution, Art. XI, Secs. 7½ and 8).
18. To adopt joint and concurrent resolutions.
19. To reconsider bills, joint and concurrent resolutions.
20. To confirm appointments by the Governor or to reconsider the same.
21. To recall a bill from committee.
22. To concur in Assembly amendments to or to adopt a report of a Committee on Conference concerning concurrent or joint resolutions or bills which require 21 votes for passage.

Actions requiring 14 votes:

23. To reconsider a vote by which a concurrent resolution proposing a constitutional amendment was adopted.

Vote Required for Amendments

48. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

Contents of Senate Journal**Proceedings to Be Printed**

49. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

The Journal shall state the name of the Senator presenting each Assembly bill, concurrent or joint resolution or constitutional amendment to the Senate for final action.

Every vote of the Senate shall be recorded in the Journal. The committee vote on each bill reported back by a committee, and if a bill is signed out that fact also shall be recorded in the Journal.

Titles of Bills to Be Printed

50. The titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced and when acted upon by the Senate, and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall be printed in the Journal.

Other Matter to Be Printed

51. Messages from the Governor (other than biennial messages and inaugural addresses) shall be printed in the Journal, unless otherwise ordered by the Senate.

Legislative Printing

Duty of Secretary to Order Printing

52. It shall be the duty of the Secretary of the Senate and he is hereby directed during and between sessions of the Legislature to order for the Senate the necessary printing including stationery for the members, and to audit and approve all bills for printing to be charged to the Senate. The Secretary shall order from the State Printer such number of copies of bills, Journals, Histories, Files, forms and other printing as shall be necessary.

It shall further be the duty of the Secretary to order bills and other legislative publications for which there is a demand printed before the supply of same shall become exhausted.

Printing Only on Written Orders; Rush Orders

53. The State Printer shall not charge any printing or other work to the Senate except as required by law unless he has a written order from the Secretary of the Senate prior to the beginning of the printing or other work. All printing ordered by the Secretary shall be delivered as directed by him. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

Form of Printing Amendments

54. When any bill of either house is amended it shall be immediately reprinted; new matter shall be printed in italics in the printed bill; and matter to be omitted shall be printed in type bearing a single horizontal line through the center and commonly known as "strikeout" type. When a bill is enrolled, all such italics and "strikeout" type shall be omitted and the bill shall be printed in the usual Roman type.

The Senate Chamber

Admission Within Bar to Senate

55. It shall be the duty of the Sergeant-at-Arms to prevent all persons except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them from coming within the bar of the Senate unless upon the invitation of the President or a Senator. No visitor shall be allowed upon the floor while the Senate is in Session.

Regulations for Lobbyists

56. All persons appearing, or being, or desiring to appear, or be, at or in the Senate Chamber, or at or in any committee room of the Senate for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Senate, or by any committee thereof, or for the purpose of soliciting the vote of any member of the Senate upon any such bill, measure, or resolution, or upon any anticipated or proposed bill, measure, or resolution, shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this Rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

No person shall appear at or enter the Senate Chamber, or any committee room of the Senate, for the purpose of advocating the adoption or defeat of any bill, measure, or resolution, without first having registered and secured the certificate as herein provided.

This Rule shall not apply to members of either house of the Legislature, officers of the State or other public agencies, or citizens of the State of California appearing in their own interest or behalf who are not representing any group, organization or corporation.

No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this Rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of

the entire session. The President and the President pro tempore are charged with the enforcement of this Rule, and this Rule can not be suspended except by a two-thirds vote of the entire Senate.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Sutton, Swing, Ward, Watson, Weybret, and Williams—36.

NOES—None.

By the Committee on Rules:

Senate Resolution No. 5

Resolved, That the schedule of salaries of officers of the Senate for this Fifty-seventh Session of the Legislature be the same as that adopted for the Fifty-sixth Session of the Legislature set forth in Senate Resolution No. 13 of said session.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—37.

NOES—None.

By Senator Salsman:

Senate Resolution No. 6

Resolved, That the President of the Senate appoint a Special Committee of Three to notify the Governor of the organization of the Senate, and that the Senate is now ready to receive any communication he may have to make.

Resolution read, and, on motion of Senator Salsman, adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced, in accordance with the above resolution, the appointment of Senators McCormack, Rich and Slater as the Special Committee to call upon the Governor, and notify him of the organization of the Senate, and the Senate is now ready to receive any communication he may have to make.

By Senator Desmond:

Senate Resolution No. 7

Resolved, That the President of the Senate appoint a Special Committee of Three to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the State.

Resolution read, and, on motion of Senator Desmond, adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced in accordance with the above resolution the appointment of Senators Watson, Kraft, and Williams as the Special Committee to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of State.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered :

By Senator Deuel :

Senate Concurrent Resolution No. 1

Relative to Inaugural Ceremonies

Resolved by the Senate, the Assembly concurring. That the Senate and Assembly meet in Joint Session in the Assembly Chamber at the hour of 3 p.m. on the sixth day of January, 1947, for the inaugural ceremonies, and that a Committee of Three members of the Senate be appointed to confer with a like committee from the Assembly to make arrangements for the inaugural ceremonies, said committee to be appointed by the President pro Tempore of the Senate and the Speaker of the Assembly, respectively, and to have full power to act in the premises. Any expenses to be paid by the Senate and Assembly out of their respective contingent funds, and not to exceed the sum of five hundred dollars (\$500), one-half to be paid from the contingent fund of each house.

Request for Unanimous Consent

Senator Deuel asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 1, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1

Senate Concurrent Resolution No. 1

Relative to Inaugural Ceremonies

Resolved by the Senate, the Assembly concurring. That the Senate and Assembly meet in Joint Session in the Assembly Chamber at the hour of 3 p.m. on the sixth day of January, 1947, for the inaugural ceremonies, and that a Committee of Three members of the Senate be appointed to confer with a like committee from the Assembly to make arrangements for the inaugural ceremonies, said committee to be appointed by the President pro Tempore of the Senate and the Speaker of the Assembly, respectively, and to have full power to act in the premises. Any expenses to be paid by the Senate and Assembly out of their respective contingent funds, and not to exceed the sum of five hundred dollars (\$500), one-half to be paid from the contingent fund of each house.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Sutton, Swing, Tenney, Ward, and Weybret—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

COMMUNICATIONS

The following communications were received, read, and ordered printed in the Journal :

WASHINGTON, D. C., May 17, 1946

Honorable Joseph A. Beek

Secretary of the California Senate
Sacramento, California

DEAR MR. BEEK: Thank you very much for transmitting to me the resolution adopted by the California Senate in tribute to the memory of my dear husband.

The kind expressions of sympathy embodied in this resolution by the Senate bring me comfort in my grief, and I appreciate beyond words the Senate's action.

To you personally, and to all of those who were a part of this sympathetic action, may I send my very great appreciation and my deepest gratitude.

Sincerely yours,

MRS. HIRAM W. JOHNSON

SACRAMENTO 14, JANUARY 3, 1947

*Mr. Joseph A. Beek, Secretary
California State Senate,
State Capitol
Sacramento, California*

DEAR SIR: In compliance with Senate Resolution No. 99, adopted on April 25, 1945, during the Fifty-sixth Regular Session of the Legislature, the State Personnel Board has prepared the enclosed report Geographic Pay Differentials. This copy is submitted for filing as required.

Copies of the report were made public at least six months prior to the convening of the Fifty-seventh Regular Session of the Legislature as further required by this resolution.

Very truly yours,

WILLIAM K. SMITH, Executive Officer
WASHINGTON, D. C., January 6, 1947

*Honorable Joe Beek, Secretary Senate,
State Capitol, Sacramento, California*

Greetings to all. I miss you. Saw son Charles made Congressman Friday. Mary and I leaving for South America tonight. Three months trip. Take good care Senator Kraft. Mexican trips must continue. Kindest regards to all the boys.

ED FLETCHER

COMMITTEE FROM THE ASSEMBLY

A committee from the Assembly, consisting of Assemblymen Maloney, Field, and Doyle, appeared at the bar of the Senate, and informed the Members of the Senate that the Assembly had duly organized, and was ready to proceed with the business of the State.

MESSAGE FROM ASSEMBLY

A committee from the Assembly, consisting of Assemblymen McColister, Beck, and Clarke, invited the Senate to be present in the Assembly at 3 p.m. to meet with the Assembly in Joint Convention.

REPORTS OF SPECIAL COMMITTEES

The following reports of special committees were received:

Senators McCormack, Rich, and Slater, the Special Committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported they had performed their duty.

Senators Watson, Kraft, and Williams, the Special Committee appointed to notify the Assembly of the organization of the Senate, reported that they had performed their duty.

Motion to Extend Felicitations to Senator Dorsey

Senator Quinn moved that the Senate of the State of California in its opening session of the Fifty-seventh Session send its felicitations and best wishes; a speedy recovery, and that he be soon back with us; and that we all miss him. Best of luck.

Motion carried.

RECESS

At 1.28 p.m., on motion of Senator Powers, the Senate recessed until 2.15 p.m.

REASSEMBLED

At 2.15 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

CALL OF THE SENATE

Senator Rich moved a call of the Senate.

Motion carried.

Time, 2.30 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH**

At 2.32 p.m., on motion of Senator Rich, further proceedings under the call of the Senate were dispensed with.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following resolution was offered :

Senate Concurrent Resolution No. 2: By Senator Powers--Relative to the Joint Rules of the Legislature.

Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 2, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

Senate Concurrent Resolution No. 2--Relative to the Joint Rules of the Legislature.

Resolution read.

Previous Question

Senator Gordon moved the previous question.

Motion carried.

The question being on the adoption of Senate Concurrent Resolution No. 2.

The roll was called, and the resolution adopted by the following vote :

AYES--Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams--38.

NOES--None.

Resolution ordered transmitted to the Assembly.

RECESS

At 2.53 p.m., on motion of Senator Swing, the Senate recessed to the call of the Chair.

IN JOINT CONVENTION

ASSEMBLY CHAMBER, SACRAMENTO

Monday, January 6, 1947

At 3 p.m., the Senate and Assembly met in Joint Convention.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.

INTRODUCTION OF PRESIDENT PRO TEMPORE OF THE SENATE

Hon. Sam L. Collins, Speaker of the Assembly, then presented President pro Tempore Harold J. Powers of the Senate to the Joint Convention.

SENATE ROLL CALL

Hon. Harold J. Powers, President pro Tempore of the Senate, directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Garra, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

The President pro Tempore declared a quorum of the Senate present.

ASSEMBLY ROLL CALL

Hon. Sam L. Collins, Speaker of the Assembly, directed the Chief Clerk to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Allen, Anderson, Beck, Bennett, Berry, Blosser, Boyd, Brady, Brown, Burke, Burns, Butters, Caldecott, Carey, Clarke, Collier, George D. Collins, Conrad, Cooke, Cramer, Crichton, Crowley, Lester T. Davis, M. Philip Davis, Debs, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Field, Fletcher, Gaffney, Gannon, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinekey, Hinton, Hollibaugh, Huyck, James, Johnson, Kilpatrick, Kirkwood, Knight, Loomis, Lowrey, Luckel, Lyons, Maloney, McCollister, McMillan, Miller, Mrs. Niehouse, Messrs. O'Day, Price, Robertson, Rosenthal, Sheridan, Sherwin, Silliman, Stanley, Stephenson, Stewart, Thomas, Thompson, Thorp, Thurman, Waters, Weber, Wollenberg, and Mr. Speaker—79.

The Speaker of the Assembly declared a quorum of the Assembly present.

INVOCATION

Upon invitation of the Speaker, Rev. Raymond Renwald, Chaplain of the Assembly, offered the invocation.

REGULAR ORDER OF BUSINESS

By direction of the President of the Senate, the Secretary of the Senate read sections of the Constitution of the State of California as follows:

Of the Constitution (Article V):

Sec. 4.5. The Legislature may regulate by law the manner of making returns of elections for Governor and Lieutenant Governor.

The legislation enacted at the Fifty-third Session of the Legislature regulating the manner of making returns of elections for Governor and Lieutenant Governor is hereby ratified and validated, and it shall have the same force and effect as if it had been passed after the adoption of this provision of the Constitution.

Sec. 15. A Lieutenant Governor shall be elected at the same time and place and in the same manner as the Governor, and his term of office and his qualifications

shall be the same. He shall be President of the Senate, but shall only have a casting vote therein.

ANNOUNCEMENT

The Speaker of the Assembly announced that the certificate of election from the Secretary of State had been received relative to the election of Earl Warren as Governor and Goodwin J. Knight as Lieutenant Governor of the State of California.

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Hon. Harold J. Powers, President pro Tempore of the Senate, announced the appointment of Senators Brown, Collier, and De Lap as the Senate Committee to escort His Excellency, Hon. Earl Warren, Governor-elect of the State of California, to the bar of the Assembly.

Hon. Sam L. Collins, Speaker of the Assembly, announced the appointment of Messrs. Crichton, Lyons, and Wollenberg as the Assembly Committee to escort His Excellency, Hon. Earl Warren, Governor-elect of the State of California, to the bar of the Assembly.

REPORT OF JOINT COMMITTEE ON ESCORT

The Joint Committee on Escort, appointed to wait upon the Governor-elect, and escort him to the Joint Convention, appeared at the bar of the Assembly, and announced the presence of His Excellency, Hon. Earl Warren, Governor-elect of the State of California.

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Hon. Harold J. Powers, President pro Tempore of the Senate, announced the appointment of Senators Brown, Collier, and De Lap as the Senate Committee to escort His Excellency, Hon. Goodwin J. Knight, Lieutenant Governor-elect of the State of California, to the bar of the Assembly.

Hon. Sam L. Collins, Speaker of the Assembly, announced the appointment of Messrs. Crichton, Lyons, and Wollenberg as the Assembly Committee to escort His Excellency, Hon. Goodwin J. Knight, Lieutenant Governor-elect of the State of California, to the bar of the Assembly.

REPORT OF JOINT COMMITTEE ON ESCORT

The Joint Committee on Escort, appointed to wait upon the Lieutenant Governor-elect, and escort him to the Joint Convention, appeared at the bar of the Assembly, and announced the presence of His Excellency, Hon. Goodwin J. Knight, Lieutenant Governor-elect of the State of California.

OATH OF OFFICE ADMINISTERED TO GOVERNOR

Upon arriving at the bar of the Assembly, Governor-elect Hon. Earl Warren took and subscribed to the following oath, administered by Hon. Phil S. Gibson, Chief Justice of the Supreme Court:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Governor of the State of California, according to the best of my ability, so help me God.

PRESENTATION OF THE GOVERNOR

Hon. Harold J. Powers, President pro Tempore of the Senate, then presented Governor Warren to the Joint Convention.

ADDRESS BY THE GOVERNOR

Governor Warren then proceeded to address the Joint Convention as follows:

Inaugural Message by Governor Earl Warren

Mr. Speaker, Mr. President, and Members of the Legislature:

In accordance with the Constitution, I desire to report to you on the condition of our State, and to recommend to you certain matters which, in my opinion, call for consideration by this Fifty-seventh Session of the California Legislature. It is a pleasure to welcome you to Sacramento—in this historic Capitol Building where throughout most of our history the laws of this State have been enacted.

This is an important session of the Legislature from many viewpoints. It is the first regular postwar session. It is the first of the annual sessions recently authorized by the people. It is the first session for the Administration that will be serving as California completes one hundred years of statehood. This State Government for which you and I are temporarily the trustees is the one that will be expected to pave the way for a second century of progress. It will be dealing with the problems of a State that has grown and changed more rapidly than any other in the Union.

The responsibility for solving these problems in the interests of a State of over nine million people is our joint responsibility. We can make a partnership of our task if we will—and it should not be difficult for us to do so. In such a partnership, we should be able to find areas of agreement that will make your deliberations fruitful for the entire State.

Such an approach requires a determination to draw a sharp dividing line between public and special interests. It means we must recognize that a thorough consideration of human problems transcends partisanship. It obligates us to cooperate for the common good without regard to party, faction, or personality. In such an atmosphere we should be able to agree speedily upon objectives, and to devote our energies to an honest search for methods of accomplishment. That kind of partnership will pay dividends as long as we keep in focus our vision of a greater and finer California where millions of people can live ordered and happy lives.

I am encouraged by what has taken place in this building during the past four years to propose that we enter upon this session in such a spirit. Those were war years. When I took office in 1943, I told the Legislature that our greatest need was for an era of good will in our State Government. We have had it to a marked degree. There has been little blind partisanship or personal controversy to hinder our attention to the job to be done. I hope that my own approach to our problems has been conducive to that result.

I want to foster the same spirit of cooperation and mutual respect during the next four years, both because it is more pleasant to live in such an atmosphere and because it will contribute to the progress and welfare of our State.

I know that the opportunity to serve at this period of our State's development must thrill you, as it does me. It is a wonderful privilege to be the heirs to California's traditions and the beneficiaries of the progress that has been made in the one hundred years since the Bear Flag and the Stars and Stripes were first unfurled on our soil in 1846.

The second century, if started well by us, will be filled with even greater opportunities for the generations that will follow ours. While, therefore, we are celebrating in these next few years the fulfillment of that which was sturdily pioneered by early Californians, it should be our inspiration to recall that we ourselves are pioneering the California of the future.

The frontier has changed but there can be no retreat or rest from the fight to protect our people against corrosive and destructive forces of both man and nature—against crime; against jeopardy of life and limb on the highways, in industry and in the fields; against preventable illness and disease; against the severities of misfortune among the helpless and handicapped; against the plight of homelessness; against ignorance that results from inadequate facilities for the training of young people; against floods; against the wastage of a precious heritage of natural resources.

These problems should not be left for solution at the hands of an already overburdened National Government. They are essentially home problems. State Government must draw fully upon all its own resources in their solution. Only in this way can we avoid federal bureaucracy, which in the abstract we deplore, but which in everyday life we too often encourage. Only in this way can the tremendous values of a government that is close to the people be preserved.

I realize there are limitations upon State and local government in the solution of the problems of our people. Certainly they cannot be solved at one legislative session. Our people do not expect any such miracle. They do expect, however—and they are entitled to have—sound and steady progress.

We must adapt our framework of law and service to the welfare of two million new residents that have been added to the seven millions who were here prior to 1940. We must also take into consideration the needs of the ten million more who, I firmly believe, will come here during the next few decades. Our task will not be easy, but it can be thrilling.

We have the satisfaction of knowing that even during the war years we were able to make some progress. We improved our humanitarian services, with respect to which delay would have been intolerable. We were able to reorganize the major departments of the State Government for better service under modern conditions. We inaugurated programs for the better conservation of our natural resources. We expanded our system of unemployment insurance for the protection of our working people and the stabilization of our economy. We encouraged business, industry, and agriculture to reestablish themselves on a peacetime basis. We reduced taxes.

All these things constitute a record of some progress made even during the war. Whether they are to be of the greatest value to our people, however, will depend on how we now build upon them. This is a time for introspection and resolution—not for self-satisfaction.

We can plan hopefully for the future. Our State has been able to change over rapidly from an economy geared to war production. At the present time, California is in a period of high employment. Six months after V-J Day it was necessary to pay unemployment insurance compensation to 227,000 persons, but this number has declined to 112,000 and the duration of payments is only 8.4 weeks on the average. We have 2,610,000 people gainfully employed in our State, compared with only 2,514,000 in April of 1940, a relatively prosperous peacetime year.

The manner in which our commercial life has adjusted itself to postwar conditions is a tribute to the resourcefulness of business and industry in our State and to the energy of their leaders.

As a result of this economic activity, our State Treasury will end the present fiscal year with a substantial surplus. The budget to be presented to you for the year ending June 30, 1948, will be a balanced budget, although it will of course reflect the greater needs of our expanding population for state services as well as higher costs. Meanwhile, our estimates show that it will be possible during the coming year to continue the tax reductions made in 1943 and re-enacted in 1945. I believe it is in order to continue these reductions.

In my opinion, any surplus beyond current requirements should be conserved for two vital needs. One of these is to maintain adequate hospitals, educational and other institutional facilities. The other is to provide for the rainy day which sooner or later comes into the lives both of people and governments.

If business should drop off only 20 percent in California, it would adversely affect our revenues by as much as \$100,000,000 a year. When I previously proposed to the Legislature that we should set something aside for unforeseen needs, some people said I was taking a defeatist attitude—that I should be thinking in terms of prosperity and not depression—but I am still of the opinion that it is no more defeatist for a state to provide for a possible rainy day than it is for an individual to do so. I am as optimistic as anyone about the economic future of our State, but I think it is elementary prudence to establish a rainy day fund.

During this session we shall have the further advantage of working under a new system whereby the Legislature can now budget for State services on a yearly basis. In order to derive the full benefits from this system, I believe that a thorough study of the tax situation in California, such as I have previously suggested to you, should now be undertaken. Inquiries have already been conducted by your interim committees which will provide a basis for an over-all and adequately financed investigation. Such an investigation should include an examination of the respective responsibilities of local and State Government, and the manner in which they share the tax dollar of our people.

Until this is done—until we have these facts—it will be true that any tinkering with present procedures or allocations merely results in robbing Peter to pay Paul.

On the organizational side of State Government, the time has come to abolish all remaining wartime agencies, and to give consideration to revamping such permanent departments as may require reorganization.

The State War Council has already been liquidated. The State Guard is being disbanded as rapidly as the National Guard can be reactivated. In keeping with our promise made when these agencies were created, I now ask for similar action with respect to the Reconstruction and Reemployment Commission and the Farm Production Council.

This decision is supported by the recent declaration of the President ending hostilities. A careful analysis of the effect this proclamation will have upon all our wartime legislation will shortly be available for your consideration.

The Farm Production Council performed an extremely valuable wartime service to agriculture and the public. Its activities with respect to recruiting and housing farm

labor were of inestimable value in producing the crops so essential for war purposes. Any of its duties that are still necessary can now be taken over by our permanent state agencies, and the council can be discharged with thanks.

The Reconstruction and Reemployment Commission, created during the war, has served its purpose and in my opinion served it well. It was able to mobilize leadership from every walk of life to prepare for the return of peacetime conditions. It has worked steadily and effectively with our cities and counties and citizen groups representing every phase of California life in developing their postwar plans.

The commission has made exhaustive studies of great value to our people on such subjects as retail trade outlets, new industries, self-employment opportunities, steel and steel uses, aviation, harbors, mineral resources, and our educational system. Many of its recommendations to the Legislature have been enacted into law.

When the Reconstruction and Reemployment Commission was created, you gave to it the responsibility for administering the Planning Act of 1935, and the State Planning Commission was abolished. Unless other provisions are now made for state planning, that important function of government will automatically lapse. To say the least, this would be illogical in an expanding State such as ours.

Inasmuch as it was the Governor who formerly appointed the Planning Commission, and inasmuch as he is charged both with proposing and administering programs for the development of our State, I suggest that the responsibility for planning be transferred to his office and that a new Planning Act be enacted to accomplish this.

The Governor's Office should also have the responsibility of assembling the statistical information obtained by our various state departments and integrating it with the research that is essential in evaluating economic trends. Our cities and counties, and the public at large, are entitled to have this information made available to them as a composite economic picture of our State.

An example of the need for constant planning is illustrated by the work we have had to do in preparing a Master Airport Plan for the State. Lacking other means, we called upon the Reconstruction and Reemployment Commission, but a State Aviation Commission should now be created.

Within our borders are the plants at which were constructed 50 percent of all the airplanes used by our Nation's armed forces during the war, and we should be the peacetime capital of the aviation world. Surprisingly, however, we are one of only five states that have failed to establish an aviation authority. Until we do so, the State can neither help our cities and counties in planning for the air age, nor in turn receive help from the Federal Government.

Of all the problems in our State, housing remains the most critical. Jurisdiction over building materials, priorities, and surplus housing has been in the hands of the Federal Government, but its programs so far have been marked by confusion and frustration.

Last year, you appropriated \$12,000,000 for participation in several Federal-State-local programs of utilizing surplus housing in California. Recently, the Federal Government summarily abandoned its emergency housing program for veterans—leaving between seven and eight thousand units in various stages of construction.

This clearly demonstrates that we cannot place ourselves wholly at the mercy of the Federal bureaus in this matter, and I wish to present to you a proposal that has been studied by our Department of Finance, Department of Veterans' Affairs and the Reconstruction and Reemployment Commission. These state agencies have ascertained that large quantities of dwelling units and housing materials not heretofore declared surplus are now becoming available. The material is usable not only for temporary housing purposes, but also in the construction of good permanent housing.

It is the obligation of State Government to assist in every way to make this material easily and promptly available to veterans who desire to purchase it. In order to accomplish this, I suggest that you make available a revolving fund to be used by the Department of Finance for the purchase of this material and its resale to veterans.

An unprecedented volume of home construction could be under way at the present time if materials were available. The stumbling block is not a lack of money. Our financial institutions and the real estate and building industries of our State are fully prepared to go ahead with their part of the job. We have kept closely in touch with the building materials situation, and will continue to press the Federal Government for action.

In the meantime, we should be giving consideration to implementing the Urban Redevelopment Act which was passed by the Legislature in 1945, because the time will soon come when building conditions will make it possible to eliminate the blighted areas of our cities.

We should also re-appraise our building codes and regulatory services to assure that they are not cumbersome and that they conform to present-day conditions.

The people, acting upon proposals of the Legislature, have approved bond issues aggregating \$130,000,000 for the purpose of making loans to World War II veterans for home and farm purchases. Although this program also lags because of construction delays and inflated prices, our Department of Veterans Affairs has been able to make

5,269 loans for a total of \$28,383,214. We are ready and able to do our part in placing California veterans in the kind of homes for which they longed while overseas and which they now desperately need.

Our educational program for war veterans is moving forward more rapidly than was anticipated, and I recommend an emergency appropriation to finance it from this date to the end of the fiscal year.

I also recommend a continuation of all our services that help us in our desire to assist our veterans in every possible way.

Comparable only to the distress resulting from the housing shortage is the tragic situation in which we find ourselves as the result of an outgrown highway system. Our streets and roads have become places of frightful danger, and our economic development is being retarded.

To enable the Legislature to give its undivided attention to this problem, and to hasten the effective date of the statutes enacted relating to it, I am calling you into special session next Monday. At that time I shall submit my views more fully for your consideration.

We must also work for the greater safety of life and limb in industry. Tremendous increase in the use of machinery makes it imperative that we keep industrial safety abreast of industrial methods.

We have put into effect badly needed safety regulations and have written new safety orders for various occupations. We will continue to try to protect life and limb in preference to compensating for the loss of them. Unfortunately, accidents cannot be eliminated entirely. We can, however, in accordance with our obligation under the Workmen's Compensation Act, make adequate provision for the victims of accidents.

Consequently, I recommend that the act be studied with a view to restoring California to its former enlightened place among the states in this program which so vitally affects our working people.

Our families must also be protected as far as possible against preventable illness and disease. The first line of defense on the public health front is in the local community. Every county should be in a position to provide communicable disease control, maternal and child health services, environmental sanitation and food inspection, public health laboratory facilities, adequate health records and community health education. These are the minimum essentials.

At the present time, 26 counties in California do not have a full-time health officer. Over half of the counties having full-time health officers are unable to provide even the basic health services. In nearly every county, there is need for improvement.

In order to step up our health services throughout the State, the State Government should offer not only consultation, but financial assistance to those counties that have full-time health officers and comply with reasonable standards. These funds should be allocated so that the counties least able to finance health programs will be given a special opportunity to bring themselves at least up to minimum levels. The joint operation of health departments by two or more small counties should be encouraged where this will be more economical and still result in better service to the people. I recommend that an adequate appropriation be made for this purpose.

It has also become necessary for the State to lend a stronger helping hand to the counties in their fight against tuberculosis. In 1945, tuberculosis was responsible for 3,840 deaths—40 percent of all deaths due to communicable disease in California. This disease can be eliminated as a major cause of death if all cases are found early and treated properly.

However, the cost of hospitalization has increased to such an extent that additional state aid to the counties is necessary. This assistance should be proportionately greater to the smaller counties, and especially designed to assist those that have no facilities or inadequate facilities for the care of tubercular patients. If this is done, uniform care may be made available and another step taken toward the ultimate eradication of this disease.

Our fight on the public health front is not limited to physical illness. California is now caring for 30,000 extreme cases of mental illness in its state hospitals, and thousands of others are in need of medical care. Through the acquisition of Hammond and DeWitt General Hospitals from the United States Army, we will be able to relieve the congestion of our mental hospitals to some extent, and through other provisions in the budget we propose to improve their services to our afflicted citizens. A great deal of this waste of human usefulness could be avoided, however, by early and intelligent preventive action.

We are operating out-patient clinics at San Francisco and Los Angeles, where people undergoing mental strain may obtain treatment in time to prevent a complete breakdown. I am convinced that these clinics can save thousands of people from a lifetime of suffering, and that they can actually save dollars for the State by decreasing the number of people that must be hospitalized at state expense. Therefore, I request you to give serious consideration to the establishment of additional clinics at San Diego, Fresno, and Sacramento, and a second clinic at Los Angeles. The staffs of these clinics will also be able to furnish mental hygiene service to the smaller communities on a mobile basis.

Higher standards of public health in California require more and better hospitals and laboratory facilities. Many of our people must travel long distances and beyond their county borders in order to reach an adequate hospital. This travel time can easily represent the difference between life and death. In an enlightened State like California, a hospital within an hour of every resident should be the ultimate goal. To achieve it, the assistance of the State is necessary.

In the opinion of public health authorities, there should be 4.5 hospital beds for every 1,000 people, which means in California that we should have not less than 41,000 beds. We actually have 34,000, of which 10,000 are in substandard hospitals. Consequently, California should have 17,000 new hospital beds to take care of the present-day normal requirements of its people, and even this does not take into consideration the fact that our population is increasing at a rate of 27,000 people each month.

We have been fortunate in recent years that no epidemic has descended upon us such as the influenza that swept our country following World War I. If this should occur, particularly in view of our swollen population, California would be confronted with a disastrous situation.

Recognizing the need for adequate hospital facilities, the Federal Government has initiated a national program for the construction of hospitals. Each dollar of federal money must be matched to the extent of \$2 by the local communities. The government has allocated approximately \$2,000,000 per year to California for the next five years. I recommend that the State participate in this program by assuming one-half of the required local contribution.

We have the machinery through which to work in carrying out such a program. I refer to the Hospital District Act, enacted by you in 1945, under which 15 community hospital districts have been formed, with many others in some stage of development at the present time. These 15 districts are distributed from Del Norte to Riverside, and from San Luis Obispo to Inyo Counties.

I believe this federal program will be expanded and that eventually every California community, with state and federal assistance, can have a hospital if it really wants one. When these funds have been exhausted, I believe our State should be willing to appropriate more money on the same basis until our objective of a good hospital within an hour of every resident is achieved.

It is not sufficient, however, to have medical services, hospitals, clinics and laboratories—no matter how expert or modern and no matter how conveniently located—unless the people have economic access to them, not as charity but as something for which they have willingly and individually paid.

The very fact that great strides have been made in medicine means that medical and hospital care are becoming increasingly expensive. The cost of hospitalization in California, according to a recent publication, is the highest in the Nation—\$12.84 per day on the average. This is only part of the cost of a serious illness, but it is clearly beyond the ability of working people to pay.

When serious illness or injury strikes the home of the average Californian, the impact on the family finances results either in exhaustion of savings, heavy debt for the future, or a resort to public charity.

Through normal channels of business, we have applied the familiar principle of insurance to protect our homes and our property, but no adequate means exists for insuring the most precious thing in life—the health of our family. This principle of insurance must be applied to the health of our people, and because there is no reasonable prospect of such insurance becoming available in any other way, the State should provide a system for making it available by encompassing all the working people of California.

If everyone could now obtain adequate insurance at rates within his means to protect himself and his family against the heavy expense of illness or nonindustrial accident, just as he insures his home against fire or his automobile against theft, I would not make this proposal. Attempts, however, to apply the insurance principle to health have failed, and will fail, because plans to accomplish this do not operate within a sufficiently large field to really average the risk and spread the cost. Without some action on the part of State Government to broaden these plans by enlarging the field of contribution, no progress can be made commensurate with the urgency and scope of the problem.

I am not unmindful of the discussion this will again provoke, because the memory of the controversy engendered by my similar proposals two years ago is still fresh in my mind. But certain other things also remain in my mind—first, that there was no refutation of the need for spreading the cost of medical and hospital care through some prepayment plan, and, secondly, that there was no alternative program offered to accomplish the desired results. These facts alone justify resubmission of the question.

I have previously submitted two separate proposals, one for a comprehensive system of prepaid medical care, and the other for a more limited system of hospital and laboratory insurance. I have never claimed to have the precise answer to this question.

I have always been ready, however, to discuss methods for accomplishing the desired result, because I believe that if all who recognize the need for improving the public health by reducing the cost of medical care will honestly search for the answer, a way will be found. I am sure it can be done without injuring anyone, and at the same time that it will relieve millions of our people from the spectre of bankruptcy and indigency which are the present-day results of the cost of illness.

Ranking in importance with the health and safety of our people is the education of our children. California should not be satisfied with any educational standards but the best. The best should be made available to every child whether he lives in the city or the country, and whether he lives in a rich or a poor school district. We still have 1,019 one-room schools and 440 two-room schools, most of them in poor districts and unable to furnish adequate standards of education.

By the equalization of school funds, the consolidation of districts, and state financial assistance in the construction of school buildings, these poorer districts can be placed on a firm foundation. I therefore renew my recommendation of last year that funds be made available to impoverished school districts for this purpose.

Among the 1,500,000 children of school age in our State, 32,000 stand in need of specialized attention in order to overcome mental backwardness. I have studied the report of your interim committee on this subject, and I favor its proposal that the State provide a substantial part of the cost of this special education.

To train these retarded children to be self supporting is not only an investment in citizenship. It will be an actual saving in dollars, because otherwise many of them, eventually would be dependent upon the State for support.

Looking forward to the growth and development of California as a western empire with twice its present population, we must use our best foresight in making sure that the natural resources with which we have been so abundantly blessed are carefully conserved and intelligently used.

Until recent years we did little to conserve our timber supply beyond maintaining a fire suppression program. Fire, insects, blights, and bad cutting practices have denuded millions of acres, and our consumption of lumber exceeds replenishment by a half billion board feet yearly. If we take practical measures now, we can harvest timber from our sixteen million acres of forest lands much as we harvest agricultural crops, and thus maintain a permanent source of construction and packaging materials. California uses almost a billion board feet of lumber each year to package its agricultural products alone.

We should make provision for acquiring additional portions of idle cut over lands that once were our most productive forests, and for stepping up our blight rust control program in order to protect the valuable remaining stands of sugar pine trees in our State.

A service to the 18,000 small owners of timber lands in our State comparable to the work of our farm advisers should also be provided. Such a service, performed by forestry advisers, would assist these small owners, whose timber lands often are adjacent to their farms, in substituting sustained-yield methods for wasteful practices.

It is also time that the State assumed its proper place of leadership in realizing maximum values from our opportunities for outdoor recreation. I renew my recommendation for creating in the Department of Natural Resources a Division of Recreation to coordinate the activities of the various state agencies which have an interest in this field and to serve our cities and counties in developing a more effective use of our mountain parks and our beaches. It is my belief that our state parks are of no greater value than the use that is made of them. That greater use by our people should be encouraged and made possible. This is becoming increasingly important as our cities continue to grow and their congestion increases.

In terms of the essentials of life, the agricultural lands of California constitute our greatest natural resource. For the fourth successive year, we have surpassed every other state in dollar volume of crops.

The day has arrived, however, when California must make more effective use of research and its results in meeting the increasing competition of other regions. Our farmers are faced with higher costs than most in getting their crops to the consumer, because of our distance from the great markets of the eastern states.

This factor can be offset, not only by keeping abreast of every new production method, but also by constantly improving handling, processing and marketing techniques to bring about delivery to the ultimate consumer of the full nutritional and taste values of our agricultural products.

The report of the Agricultural Research Commission created by you a year ago confirms the need for an accelerated program, and I recommend an appropriation of \$1,500,000 for this purpose during the coming year. As in the past, this research should be made by our university, and in order to assist the university, the Agricultural Research Commission should be made permanent and given the responsibility of keeping the university constantly informed of the practical, every day research needs of California farmers.

The future of agriculture, and to a great extent the future of all California, depend upon the manner in which we conserve, distribute and use our supply of water. The ingenuity of our farmers and water conservationists has developed the vast amount of water now in use throughout the State. Most future water conservation projects, however, will be beyond the jurisdiction and resources of local regions. They are large public projects that call for federal, state and local cooperation.

Although a great deal of work has been done by our State Division of Water Resources and other public agencies, it is time that we bring our State Water Plan up to date, and determine what kind of management would best serve the orderly growth and development of our State.

This matter has not heretofore been dealt with comprehensively. Public opinion has been divided, and in many instances conclusions have been based on emotion rather than on fact. To continue in this way would inevitably retard the development of California, because the federal appropriations that we obtain will depend largely upon a united front being presented by us in the Congress.

We must begin now to clarify our thinking on this subject and organize our efforts. For this purpose I recommend that the Water Resources Act of 1945 be amended to empower the State Water Resources Board, within its appropriations, to initiate water surveys upon its own motion, and to report to the Legislature and the Governor upon the comprehensive and orderly development of our water resources.

Every war has its aftermath of hatred, discrimination and persecution. World War II is no exception. Even now, as people of good will strive to prepare a world order based upon justice and fair dealing, we find race hatred disturbing world peace. Here in free America, fanatics are already at work to divide us by preaching that doctrine. I am sure cosmopolitan California does not condone such practices, and I also feel certain that in rejecting Proposition No. 11, at the recent election, our people intended only to withhold their approval from a measure they considered unworkable. I believe they would like to eliminate discrimination so far as is humanly possible.

Two years ago, I recommended the establishment of a Commission on Political and Economic Equality. A bill for this purpose failed of passage because there were on the one hand, those who were unwilling to take any action, and on the other hand, those who insisted on doing more. The commission which I then proposed, and which I again recommend, would not be an administrative agency. It would make no regulations and enforce no laws. It would investigate, study, and report conditions as they find them to the Legislature and the Governor for action. This would be extremely helpful because at the present time, I have no means, and I am sure you have none, of obtaining objective information on this subject.

In its transition from wartime production to a peacetime economy, our Nation is passing through an inevitable period of inflation and similar economic difficulty, and this has tended to aggravate differences between management and labor and multiply the number of work stoppages.

Under the National Labor Relations Act and the decisions of the Supreme Court, the Federal Government has jurisdiction over most labor disputes, and it is my belief that the major effort of the State should be to promote free collective bargaining and the avoidance of a war of legislation between management and labor. Such a state policy paid dividends during the war, and I am of the opinion it will do so now.

We can contribute additionally to industrial peace in our State by making our services more readily available as mediator and conciliator in local labor disputes. Unfortunately, we are not able to do so under our present statutes.

Section 65 of our Labor Code provides that the State can mediate only when all parties to a dispute so request. I know that many people have wondered why the State does not use its good offices in this regard, and I recommend that Section 65 be amended to permit us to do so upon the request of any party to the dispute.

I trust that this Legislature will create a commission to coordinate on a statewide basis the celebrations that will be held in California during our next four centennial years. This will make our rich past live again, and it will accentuate the greatness of our hopes for the future.

In a real sense, however, this session can do more than merely arrange the ceremonies with which we shall honor these anniversaries. In a spirit of humility and trust in Divine Providence it can prepare the solid groundwork of a more lasting monument, one that will be as great and as broad as California itself—an exemplification of what a people can do to create for themselves the social, economic and spiritual conditions that make for better living. I ask nothing more than to work with you in such a spirit and toward such a goal.

OATH OF OFFICE ADMINISTERED TO LIEUTENANT GOVERNOR

Lieutenant Governor-elect Goodwin J. Knight then took and subscribed to the following oath administered by Hon. Phil S. Gibson, Chief Justice of the Supreme Court:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the Office of Lieutenant Governor of the State of California, according to the best of my ability, so help me God.

INTRODUCTION OF LIEUTENANT GOVERNOR

Hon. Sam L. Collins, Speaker of the Assembly, then presented Lieutenant Governor Goodwin J. Knight to the Joint Convention.

ADDRESS BY LIEUTENANT GOVERNOR

Lieutenant Governor Knight then proceeded to address the Joint Convention as follows:

ADDRESS BY LIEUTENANT GOVERNOR GOODWIN J. KNIGHT

JANUARY 6, 1947

Four years ago when a new Governor and Lieutenant Governor were inaugurated in this room our Country had been engaged in the second World War for a little more than a year. Our new leaders spoke of the task of conducting the State Government on a war basis.

That administration, led by Governor Earl Warren, has faced great problems and has given to our State fine leadership, and California's contribution to the victory of our armed forces was notable; all the more so because we here in this western area had not only all of the complexities and burdens of many of the other states in wartime, but in addition we were practically a vast supply depot for the whole Pacific theater in the Japanese conflict, and at that time, though it seems remote today, we were exposed and close to the front of actual fighting.

Throughout the great war with its controls, disruptions and hardships free government of free men in California was maintained. Today we meet as citizens who are proud of the achievements of the administration, the Legislature, the civil service departments and the judiciary from 1942 to 1947.

The Federal Union and all of the states, including our own, are striving today to return to orderly peacetime living. We are doing this, but with one new factor. During the war we funneled through our cities and towns to and from the battle fronts perhaps eight million men and women in uniform. They came to know, appreciate and love California. Many thousands have returned to make their permanent homes here—and the flood of new people has not receded. This element in our lives must be a basic concept of all our work in government. It is not projected in the future. It is here now.

As an administrative officer and a part of the executive department, I shall work with the members of the State Senate—whose duty and right it shall be, along with the members of the Assembly, to form and pass legislation. There will be a serious responsibility, all the while being under the white hot light of public scrutiny, open debate and vigorous approval and equally, in some cases, determined opposition. The other constitutional duties of the Lieutenant Governor are well known. I approach this new work with a firm conviction in the eternal soundness and verity of a democratic republic.

Three hundred and twenty-six years ago a small group of people landed on the wintry shores of New England, bringing with them as their greatest power for a new life a belief. That belief was a deep determination to exercise self government, guaranteeing certain personal freedoms. Many others came and added strength and numbers to this political philosophy; the dignity of human personality, the creation of a state for the benefit of the people and a denial of the practice of man living in fear of, and only for, the power and security of a king, a regent or a group of masters.

These fundamentals were the cornerstones of the first civil government in California. They have remained so ever since. They are the whole structure we call constitutional government. They have been attacked, misrepresented, denounced and condemned. They will be again, but you and I and countless clear-headed Californians will defend them and keep them. The priceless treasure of a sovereign people stimulating in their daily lives the highest aspirations of freedom under law and good will toward all men.

BENEDICTION

Upon invitation of the Speaker, Rev. William C. Pearson, Chaplain of the Senate, pronounced the benediction.

INTRODUCTION OF GUESTS

The Speaker introduced to the Members of the Senate and the Assembly, and to visitors, the following distinguished guests:

Mrs. Earl Warren, wife of His Excellency, Governor Warren, and and their three daughters, Virginia, Dorothy, and Nina Elizabeth.

Mrs. Goodwin J. Knight, wife of Lieutenant Governor Knight.

Mrs. Harold J. Powers, wife of the President pro Tempore of the Senate, the Hon. Harold J. Powers.

The Hon. Frank M. Jordan, Secretary of State.

The Hon. Fred W. Howser, Attorney General.

The Hon. Jerrold Seawell, Past President pro Tempore of the Senate and newly elected member of the Board of Equalization.

The Hon. Thomas Kuchel, State Controller; and

Mrs. Sam L. Collins, wife of Speaker Collins.

ADJOURNMENT OF JOINT CONVENTION

At 4.20 p.m., there being no further business, the Speaker of the Assembly declared the Joint Convention adjourned sine die.

REASSEMBLED

At 4.30 p.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

MOTION TO PRINT REMARKS BY LIEUTENANT GOVERNOR

Senator DeLap moved that the following remarks by Lieutenant Governor Goodwin J. Knight be printed in the Journal:

Motion carried.

Remarks by Lieutenant Governor Goodwin J. Knight***Gentlemen of the Senate***

With your indulgence I wish to say a few words in accordance with the traditions of this body. I come from the Judiciary, one of the three great divisions of our government. In your work you have always shown great respect and consideration for the judges of our State. I hope to extend to you the same courtesy and deference in my work here with you, and as a member of the Administrative Department of California I am grateful to each one of you for the sincere offers of assistance and cooperation you have today given to me.

I assure you I earnestly hope to merit your generous confidence, good will and friendship in our mutual endeavors on behalf of the people of this great State.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1947.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 1.

ARTHUR H. OHNIMUS, Chief Clerk of the Assembly

By ROBERT FINNIE, Assistant Clerk

Above resolution ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules:

Senate Resolution No. 8

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the

State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the Fifty-seventh Session of the Legislature:

Senators	County	Mileage	Total at 5 cents per mile
Breed, Arthur H., Jr.	Alameda	189	\$9 00
Brown, Charles	Inyo	1,292	64 60
Burns, Hugh M.	Trinity	338	16 90
Busch, Burt W.	Lake	320	16 50
Carter, Oliver J.	Shasta	340	16 50
Collier, Randolph	Siskiyou	590	29 50
Crittenden, Bradford S.	San Joaquin	94	4 70
Cunningham, B. R.	Kings	428	21 40
DeLap, T. H.	Contra Costa	164	8 20
Desmond, Earl D.	Sacramento	2	10 10
Deuel, Charles H.	Butte	202	5 00
Dillinger, H. E.	El Dorado	100	54 60
Dilworth, Nelson S.	Riverside	1,092	9 10
Donnelly, Hugh P.	Stanislaus	182	4 70
Gordon, Frank L.	Napa	94	11 80
Hatfield, George J.	Merced	236	60 30
Hulse, Ben	Imperial	1,206	33 30
Jespersen, Chris N.	San Luis Obispo	666	16 80
Judah, H. R.	Santa Cruz	336	10 50
Keating, Thomas F.	Marin	210	57 30
Kraft, Fred H.	San Diego	1,146	8 50
Mayo, Jesse M.	Calaveras	170	49 00
McBride, James J.	Ventura	980	6 20
McCormack, Thomas	Solano	124	9 00
O'Gara, Gerald J.	San Francisco	180	11 10
Parkman, Harry L.	San Mateo	222	41 60
Powers, Harold J.	Modoc	832	31 20
Quinn, Irwin T.	Humboldt	624	6 30
Rich, Wm. P.	Yuba	106	14 60
Salsman, Byrl R.	Santa Clara	292	10 20
Slater, Herbert W.	Sonoma	204	7 50
Sutton, L. G.	Colusa	150	50 80
Swing, Ralph E.	San Bernardino	1,016	44 70
Tenney, Jack B.	Los Angeles	894	46 00
Ward, Clarence C.	Santa Barbara	920	48 10
Watson, Clyde A.	Orange	962	24 20
Weybret, Fred.	Monterey	484	23 40
Williams, J. Howard	Tulare	468	
			Total at 10 cents per mile
Officers	County	Mileage	
Knight, Goodwin J., President	Los Angeles	894	\$89 40
Beek, J. A., Secretary	Orange	990	99 00
Nolan, Joseph F., Sergeant-at-Arms	Los Angeles	894	89 40
Lea, John F., Minute Clerk	Sacramento	2	20

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—33.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

Senate Concurrent Resolution No. 3: By Senator Crittenden—Relative to approving an amendment to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof, at a special municipal election held therein on Tuesday, November 5, 1946. Above resolution ordered printed, and placed on file.

RESOLUTIONS

The following resolutions were offered :

By Senator Powers :

Senate Resolution No. 9

Creating the Senate Legislative Process Committee and defining its powers and duties.

WHEREAS, Many of the legislative proposals involve problems within the jurisdiction of more than one standing committee of the Senate, and the adequate consideration of such measures requires the cooperation of such several committees in order to avoid duplicating the work of one such committee by another, and much delay in the legislative process could be avoided if it were possible to eliminate such duplication of effort and provide a means for expediting the consideration of such measures ; and

WHEREAS, There is need of a committee equipped to ascertain facts and secure facts and secure information upon assigned topics from time to time during the session, a committee acting in aid of and in collaboration with the several standing committees of the Senate ; now, therefore, be it

Resolved by the Senate of the State of California, as follows :

1. A special committee designated the "Senate Legislative Process Committee" is hereby created and authorized and directed to take such steps as may be necessary to coordinate the work of the various standing committees of this session in considering questions before such session in order that there be no duplication of work or effort, and to make such studies as may be necessary, ascertain such facts and information, and secure such statistics for the use of the members and committees of the Senate as may be of aid to them in considering and acting upon legislative proposals at this session.

2. The committee shall consist of the same members of the Senate as the Senate Committee on Rules, and shall have the same chairman.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members except that the members of the committee shall serve without compensation and shall not be allowed mileage.

Until the adoption of joint rules at this session, the joint rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties :

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Senate from time to time and at any time.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jepsen, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Williams—31.

NOES—NONE.

By Senator Hulse:

Senate Resolution No. 10

Relating to continuing in existence the Senate Committee on State and Local Taxation.

WHEREAS, The Senate Committee on State and Local Taxation was created by Senate Resolution No. 127, adopted June 16, 1945, its funds were augmented by Senate Resolution No. 32, adopted February 19, 1946, and the scope of its investigations was increased by Senate Resolution No. 49, adopted February 19, 1946; and

WHEREAS, Said committee has not completed its work and has not expended all of the funds made available to it and there remains unexpended a sum approximately equivalent to that hereinafter made available; and

WHEREAS, It is desirable to continue said committee as a committee at this general session; now, therefore, be it

Resolved by the Senate of the State of California, as follows:

1. The Senate Committee on State and Local Taxation created by Senate Resolution No. 127 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

The sum of eighteen thousand dollars (\$18,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judih, Keating, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—34.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following resolutions were offered:

Senate Concurrent Resolution No. 4: By Senator Hatfield—Relative to continuance of Joint Legislative Committee on Agriculture and Live Stock Problems created by Resolutions, Chapter No. 141 of Fifty-sixth Regular Session.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 5: By Senator Tenney—Relative to adjournment in respect to memory of Steve Sodel.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

Senate Concurrent Resolution No. 5—Relative to adjournment in respect to memory of Steve Sodel.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following resolutions were offered :

Senate Concurrent Resolution No. 6: By Senator Collier—Relative to the continuance of the Joint Fact-Finding Committee on Highways, Streets and Bridges created by Resolutions Chapter 133 of the 1945 Regular Session.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 7: By Senator Collier—Relative to a study by the Judicial Council of the administration of justice in the inferior courts in California.

Referred to Committee on Rules.

ADJOURNMENT

At 4.46 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 11 a.m., Tuesday, January 7, 1947, out of respect to the memory of Steve Sodel.

JOHN F. LEA, Minute Clerk.

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

SECOND LEGISLATIVE DAY

SECOND CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, January 7, 1947

The Senate met at 11 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:
Senator Dorsey, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Dan Gallagher and Lt. James Quigley; both of San Francisco.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, January 7, 1947

*To the Honorable Members of the Senate,
State of California, Sacramento, California*

GENTLEMEN: Pursuant to the provisions of Section 1774 of the Government Code, which provides that within 10 days after the meeting of the Legislature the Governor must transmit to it a list of all appointments made by him in accordance with that section, I have the honor to transmit to you herewith a list of all appointments so made since the last session of the Legislature.

Respectfully,

EARL WARREN, Governor

List of Appointments by Governor

RICHARD E. MITTELSTAEDT, a resident of Sacramento; Superintendent of the Division of Water of the City of Sacramento for the past 14 years; was appointed December 30, 1946, as member of the Public Utilities Commission (formerly the Railroad Commission of the State of California) vice self, term expired.

TOLAND C. McGETTIGAN, a resident of Santa Rosa; was appointed January 2, 1947, member of the California Unemployment Insurance Appeals Board, and member of the California Employment Stabilization Commission, vice self, term expired.

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, January 7, 1947

To the Senate of the State of California:

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

RICHARD E. MITTELSTAEDT, a resident of Sacramento; former Adjutant General of California; Brigadier General in the United States Army during World War II; Superintendent of the Division of Water of the City of Sacramento for the past 14 years; a Member of the Railroad Commission of the State of California since August, 1946; was appointed, effective December 30, 1946, as a Member of the Public Utilities Commission (formerly Railroad Commission of the State of California), vice self, term expired, as interim appointee pursuant to Constitution, Art. XII, Sec. 22;

as Member of the Public Utilities Commission, for the term prescribed by law, ending December 31, 1952.

TOLAND C. McGETTIGAN, a resident of Santa Rosa; a Member of the California Unemployment Insurance Appeals Board, and Member of the California Employment Stabilization Commission since December, 1944; was appointed, effective January 2, 1947, as a Member of the California Unemployment Insurance Appeals Board, and Member of the California Employment Stabilization Commission, vice self, term expired, as interim appointee pursuant to Section 1774 of the Government Code;

as Member of the California Unemployment Insurance Appeals Board, and Member of the California Employment Stabilization Commission, for the term prescribed by law, ending December 31, 1950.

Respectfully,

EARL WARREN, Governor

Messages read, and referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly has elected the following statutory officers:

<i>Speaker</i>	Sam L. Collins
<i>Speaker pro Tempore</i>	Thomas A. Maloney
<i>Chief Clerk</i>	Arthur A. Ohnimus
<i>Minute Clerk</i>	Geraldine B. Hadsell
<i>Sergeant-at-Arms</i>	Wilkie Ogg
<i>Chaplain</i>	Rev. Raymond Renwald

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By **H. F. LEWRIGHT**, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 3
Assembly Concurrent Resolution No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By **H. F. LEWRIGHT**, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 3—Relative to the approval of the charter of the City of Torrance, a municipal corporation, in the County of Los Angeles, State of California, as voted for and ratified by the electors of the City of Torrance, at an election held therein on the twentieth day of August, 1946.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 3, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 3

Assembly Concurrent Resolution No. 3—Relative to the approval of the charter of the City of Torrance, a municipal corporation, in the County of Los Angeles, State of California, as voted for and ratified by the electors of the City of Torrance, at an election held therein on the twentieth day of August, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 4—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general election held therein on the fifth day of November, 1946.

Request for Unanimous Consent

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 4, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 4

Assembly Concurrent Resolution No. 4—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general election held therein on the fifth day of November, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

RESOLUTIONS

The following resolutions were offered :

By Senator Swing :

Senate Resolution No. 11

Relative to the continuance of the Senate Fact-Finding Committee on Fish and Game Problems for Southern California created by Senate Resolution No. 123 of the Fifty-sixth Regular Session

Resolved by the Senate of the State of California. As follows :

1. The Senate Fact-Finding Committee on Fish and Game Problems as they relate to and affect the southern part of the State created by Senate Resolution No. 123 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The sum of five thousand eighty-two dollars and sixteen cents (\$5,082.16) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

By Senator Swing :

Senate Resolution No. 12

Relative to the continuance of the Senate Fact-Finding Committee on Veterans and Discrimination created by Senate Resolution No. 37 of the 1946 (First Extraordinary) Session.

Resolved by the Senate of the State of California, As follows :

1. The Senate Fact-Finding Committee on Veterans and Discrimination created by Senate Resolution No. 37 of the 1946 (First Extraordinary) Session is continued as a Senate Committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of one thousand six hundred eighty-five dollars and forty-seven cents (\$1,685.47) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah,

Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson and Williams—34.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SACRAMENTO, CALIFORNIA

SENATE CHAMBER, January 7, 1947

MR. PRESIDENT: The Committee on Rules has appointed Senator Deuel to serve as a member of the State Public Works Board under terms of Senate Bill No. 37 (Stats. 1945) to fill the vacancy of former Senator Seawell.

POWERS, Chairman

SACRAMENTO, CALIFORNIA

SENATE CHAMBER, January 7, 1947

MR. PRESIDENT: The Committee on Rules has appointed Senator Deuel to serve as a member of the Postwar Construction Program (S. R. No. 121, Stats. 1945) to fill the vacancy of former Senator Seawell.

POWERS, Chairman

SACRAMENTO, CALIFORNIA

SENATE CHAMBER, January 7, 1947

MR. PRESIDENT: The Committee on Rules has appointed Senator McBride to serve as a member on the Committee on Interstate Cooperation to fill the vacancy of former Senator Fletcher.

POWERS, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Slater asked for, and was granted, unanimous consent to have the following Report of the Interim Committee appointed to Study the Care and Education of the Mentally Deficient in the State of California printed in the Journal:

Report of Senate Interim Committee to Study Care and Education of the Mentally Deficient in California

SACRAMENTO, CALIFORNIA, January 6, 1947

*His Excellency The Governor, the Lieutenant Governor,
and the Members of the Senate*

GENTLEMEN: I herewith transmit the Report of the Senate Interim Committee provided for in Senate Resolution No. 158, studying the Problem of Mental Deficiency in the State of California.

The accompanying report sets forth the nature of the investigation and its accomplishments as well as its recommendations.

Respectfully

HERBERT W. SLATER, Chairman

REPORT

Senate Interim Committee Named Under Senate Resolution No. 158 of the 1945 Session of the California State Legislature for the Purpose of Studying the Care and Education of the Mentally Deficient in the State of California

Mr. President and Gentlemen of the Senate:

Pursuant to appointment by the Senate, your committee authorized to conduct an investigation into the Mental Deficiency Problem in California, Senate Resolution No. 158, wish to submit our report and recommendations. At the outset, may we say that we believe the time has arrived when a very important undertaking, too long neglected, shall receive definite consideration and to this end we will present legislation which we trust will meet with approval and which will deal with what is unquestionably a most important matter.

The resolution providing for the Committee of Investigation was presented at the earnest request of people who were thoroughly convinced the matter of providing special education for mentally retarded boys and girls and who by reason of their official contact and personal observation were entitled to request action in the providing of a state-wide program, could no longer be delayed.

At previous times prior to 1945, various agencies, including the State Department of Education and the State Department of Institutions, now the State Department of Mental Hygiene, had tried to secure the passage of legislation making it mandatory that special provision be made in our law for the education of the mentally deficient in the Public School System of California, that is, those that are educable. These efforts failed and in consequence it was determined to ask the Legislature to conduct an official investigation which would more pointedly indicate that something should be done.

At the outset of the committee inquiry and at the first meeting, we decided to name a professional consultant committee to make a study of the entire problem and present their views at the conclusion of the same, to this committee. This was accomplished and Dr. Fred O. Butler, Medical Superintendent of the Sonoma State Home for the care and training of feeble minded children was asked to assume the chairmanship of this subcommittee in which he graciously concurred. With him on the committee were Helen Heffernan, the Director of Elementary Education in the State Department of Education, Doctor Olga Bridgman of the University of California, and Dr. Lillian B. Hill, of the State Department of Education, all thoroughly equipped to perform what we requested them to undertake. Before they commenced the mission, your committee discussed at length with them the complete picture of what was desired, namely, the outlining of a state-wide program of real helpfulness.

Your Senate committee and the professional consultant committee decided to forward a questionnaire dealing with the subject of inquiry to each county, district and city superintendent of schools, the probation officers, the Director of Social Welfare, as well as the county directors of social welfare throughout the State, as the first method of ascertaining estimates as to the number of mentally retarded children in their respective sections. Your committee, the subcommittee, the Department of Education, and the Department of Mental Hygiene were much impressed with the replies which were returned from the persons interviewed by the questionnaire and letters. It indicated definite interest in a state-wide program to aid in the education of the mentally retarded throughout California, just as it furnished your committee with definite belief that the State should embark upon the work contemplated at the time your committee was appointed.

For your information, the questions covered in the questionnaire were these:

1. In your opinion will the needs of the mentally-handicapped children in your school be best served by grouping such children in special classes?
2. How many children in the elementary schools of your city are now securing education in special classes for mentally-retarded children?
3. How many children in the elementary schools of your city represent a sufficient mental deviation from normal to justify grouping in special classes?

Other questions submitted sought information as to how many persons had been classified in case records as mentally defective between the ages of 1 to 8, 9 to 16, 17 to 21, and above 21, and also:

- a. Increased availability of State Institutions
- b. Expanded State supervision
- c. Provision for education in special classes
- d. (Suggest others)-----
- e. -----

Your committee has ascertained the number of mentally retarded of the type at which our investigation was directed was in excess of 32,000 and of this number, only 5,000 have been undergoing special instruction in special classes and in special schools in a very few school districts in California. The 32,000 children referred to were of the educable type, according to the information gleaned from the questionnaires and from other sources of information. We earnestly feel, and it is a unanimous sentiment of the professional consultants and certainly of the parents of the mentally retarded children, many of whom appeared at our hearings, that something must be done for the 27,000 mentally retarded children which heretofore and now are in the neglected class. Only in a few educational centers, as previously stated, have special classes or special schools been established. The time is now here, we believe, when a mandatory state program should be established. Your committee certainly is in agreement that it is much more economical to educate the type under consideration in the public schools and allow them to remain at home rather than to commit them to an institution. This program, if carried out, will not interfere with the education of the normal child. It probably will cost more to carry on the special classes and provide trained teachers. The financial side has also been considered and it is our recommendation that the State bear 75 percent of the increased cost and the district 25 percent of the excess cost of educating the mentally deficient in their respective communities. It must be remembered the type of children under consideration have a far more difficult time in carrying on through life, no matter how we help them, than the normal child.

Your committee contemplates the introduction of a bill providing for the education of the mentally deficient in our public schools and in it will be set forth, we hope, what will prove an intelligent dealing with the proposed state-wide program and it will also furnish you in detail with the provisions deemed essential to start the objective for which our investigation was instigated. This bill sets forth the recommendations of your committee.

We are certainly indebted to Dr. Butler and the other members of the professional consultant committee for their great help, as well as to the State Department of Education, the State Department of Mental Hygiene, the University of California, and the Legislative Counsel's Department for their extreme courtesy and helpfulness.

We are also indebted to Governor Earl Warren for having twice given us an opportunity for conference and explanation of the work we had in hand and for his acknowledged interest in the contemplated program as outlined in this report, as well as his assurance of support.

Respectfully submitted.

G. M. BIGGAR, Member
LOUIS G. SUTTON, Member
HUGH P. DONNELLY, Member
IRWIN T. QUINN, Member
HERBERT W. SLATER, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 1: By Senator Breed—An act to add Section 14053.5 to the Health and Safety Code, relating to members of the board of fire commissioners of fire protection districts in unincorporated areas.

Referred to Committee on Public Health and Safety.

Senate Bill No. 2: By Senator Crittenden—An act to add Section 66d to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of San Joaquin, and providing for the appointment of an additional judge and for his compensation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 3: By Senator McCormack—An act to add Section 120.5 to the Elections Code, relating to registration of electors.

Referred to Committee on Elections.

Senate Bill No. 4: By Senators Quinn, Dilworth, and DeLap—An act making an appropriation to the Department of Veterans Affairs for the purpose of providing educational assistance for veterans, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 5: By Senator Slater—An act to amend Section 737ww of the Political Code, relating to the salaries of judges of the Superior Court for Sonoma County.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 6: By Senator Swing—An act to amend Sections 17053.5, 19200, 19201.5, 19202, 19203.5, 19204.5 and 19205.5 of the Revenue and Taxation Code, relating to the Personal Income Tax Law and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 7: By Senators Tenney and O'Gara—An act to amend Section 981.2 of the Military and Veterans Code, relating to educational assistance to veterans.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 8: By Senator Slater—An act to amend Section 4249 of the Political Code and Section 28120 of the Government Code, relating to compensation for public service in counties of the twentieth class.

Referred to Committee on Local Government.

Senate Bill No. 9: By Senator Dillinger—An act to amend Section 5932, and to add Sections 5882 and 7791.5 and Article 3a to Chapter 5 of Division 8, of the Elections Code, relating to absent voting.

Referred to Committee on Elections.

Senate Bill No. 10: By Senator Burns—An act to amend Section 59.5 and to repeal Section 59.6 of the Alcoholic Beverage Control Act, relating to hours of sale of alcoholic beverages, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 11: By Senator Breed—An act to add Section 6060.8 to the Business and Professions Code, relating to qualifications for admission to the bar.

Referred to Committee on Judiciary.

Senate Bill No. 12: By Senator Slater—An act to provide for the control of pullorum disease, an infectious disease of poultry, and making an appropriation to the department of agriculture therefor.

Referred to Committee on Agriculture.

Senate Bill No. 13: By Senator McCormack—An act to amend Section 10452 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax; and making an appropriation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 14: By Senator Tenney—An act to add Section 6062.5 to the Business and Professions Code, relating to attorneys who are disabled veterans.

Referred to Committee on Judiciary.

Senate Bill No. 15: By Senator Tenney—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 900,000 inhabitants and over.

Referred to Committee on Local Government.

Senate Bill No. 16: By Senators Tenney and O'Gara—An act to add Chapter 7 comprising Sections 1115 and 1121, inclusive, to Part 3, Division 2, of the Labor Code, creating an Inter-Racial Commission on Equal Opportunity in Employment, defining its functions, powers and duties, providing for the appointment and compensation of its officers and employees and making an appropriation for the purposes of this act.

Referred to Committee on Labor.

Senate Bill No. 17: By Senator Crittenden—An act to amend Section 204 of the Code of Civil Procedure, relating to the selection of trial jurors.

Referred to Committee on Judiciary.

Senate Bill No. 18: By Senator Crittenden—An act to amend Section 1425 of the Penal Code, relating to criminal jurisdiction of justices', municipal and police courts.

Referred to Committee on Judiciary.

Senate Concurrent Resolution No. 8: By Senator Gordon—Relating to the purchase of an amphibian type of airplane for Division of Fish and Game, Department of Natural Resources.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 9: By Senator Crittenden—Relative to the continuance of the Joint Committee on Water Problems created by Resolutions, Chapter No. 142 of the Fifty-sixth Regular Session.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 10: By Senator Tenney—Relative to the continuance of the Joint Fact-Finding Committee on Un-American Activities created by Resolutions Chapter No. 143 of the Fifty-sixth Regular Session.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 11: By Senator McBride—Relative to the continuance of the Joint Committee on Insurance created by Resolutions Chapter 140 of the Fifty-sixth Regular Session.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Senators Weybret, Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Dorsey, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams:

Senate Resolution No. 13

Relative to former Senator Ed Tickle

WHEREAS, Edward H. Tickle, for many years a member of the Senate of the State of California is presently ill in a hospital in Carmel; now, therefore, be it

Resolved by the Senate of the State of California, That the Members of this Senate by this resolution express to their friend and former colleague their regret upon learning of his illness, and send to Ed their best wishes for an early and complete recovery; and be it further

Resolved, That the Secretary of the Senate is requested to transmit a suitably prepared copy of this resolution to former Senator Edward H. Tickle of Carmel, California.

Resolution read, and, on motion Senator Weybret, adopted unanimously.

By Senators Salsman and Breed :

Senate Resolution No. 14

Relative to the continuance of the Senate Interim Committee on Prepayment of Medical and Hospital Care created by Senate Resolution No. 131 of the Fifty-sixth Regular session

Resolved by the Senate of the State of California, As follows :

1. The Senate Interim Committee on Prepayment of Medical and Hospital Care created by Senate Resolution No. 131 of the Fifty-sixth Regular session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

ADJOURNMENT

At 11.45 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 11 a.m., Wednesday, January 8, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

THIRD LEGISLATIVE DAY

THIRD CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, January 8, 1947

The Senate met at 11 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:
Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Salsman, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lt. Lloyd Bowen, Fresno Police Department, Fresno; Mr. Henry Hyde, of Fresno City Department of Public Works; and Capt. Charles Peter, of the Fresno Fire Department.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Victor Stefan, Jr., of Santa Clara.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Albert F. Beecher, of Clearlake Highlands.

On request of Senator Quinn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Clyde Edmondson, Secretary and Manager of the Redwood Empire Association, San Francisco; Mr. Moe Goldman, Past President, Redwood Empire Association, Petaluma.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Goodwin Knight, Miss Carolyn Knight, Miss Marilyn Knight, and Mrs. A. W. Cooley.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Duane W. Wheeler, of Los Angeles; Mr. Cliff W. Brown, of Universal Pictures, of Los Angeles, and Hulda McGinn, of San Francisco.

On request of Senators Tenney and Milworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Nettie W. Hahn and Mrs. Gertrude Downs both of Los Angeles.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, January 8, 1947

To the Honorable Members of the Senate

State of California, Sacramento, California

GENTLEMEN: In accordance with the provisions of Section 1 of Article VII of the Constitution of California, I hereby transmit to you a report of the cases of pardon, commutation of sentence, and reprieve issued by this office from January 8, 1945, to January 6, 1947.

Respectfully submitted,

EARL WARREN, Governor

Acts of Executive Clemency of California Granted for Period 1945-1947 Concerning Pardons, Commutations and Reprieves

Reprieves

THOMAS EARL BRIGANCE, San Quentin No. 71869, was convicted on June 22, 1944, in Alameda County, of murder first degree and robbery first degree, and scheduled to be executed on April 20, 1945. Reprieve granted by Acting Governor Frederick F. Houser pending his study of the case. Granted April 20, 1945, extending date of execution to May 18, 1945.

WILSON DE LA ROI, San Quentin Nos. 63949 and 63949a, was convicted on September 28, 1942, in Sacramento County, of assault by life convict, and scheduled to be executed February 2, 1945. Reprieve granted upon request of the Supreme Court of the State of California in order to allow referee to complete transcript in the application of Wilson De La Roi for a writ of habeas corpus. Granted January 26, 1945, extending date of execution to May 4, 1945.

WILSON DE LA ROI, San Quentin Nos. 63949 and 63949a, was convicted on September 28, 1942, in Sacramento County, of assault by life convict, and scheduled to be executed May 4, 1945. Reprieve granted upon request of the Supreme Court of the State of California. Granted April 28, 1945, extending date of execution to July 6, 1945.

WILSON DE LA ROI, San Quentin Nos. 63949 and 63949a, was convicted on September 28, 1942, in Sacramento County, of assault by life convict, and scheduled to be executed July 6, 1945. Reprieve granted upon request of the Supreme Court of the State of California in order to allow the Supreme Court sufficient time for the completion of the pending reference on the writ of habeas corpus. Granted June 25, 1945, extending date of execution to October 5, 1945.

WILSON DE LA ROI, San Quentin Nos. 63949 and 63949a, was convicted on September 28, 1942, in Sacramento County, of assault by life convict, and scheduled to be executed October 5, 1945. Reprieve granted upon request of the Supreme Court of the State of California. Granted October 1, 1945, extending date of execution to January 4, 1946.

WILSON DE LA ROI, San Quentin Nos. 63949 and 63949a, was convicted on September 28, 1942, in Sacramento County, of assault by life convict, and scheduled to be executed January 4, 1946. Reprieve granted in order to allow John Quincy Brown, District Attorney of Sacramento County, sufficient time to investigate the purported confession of Edward Walker. Granted December 20, 1945, extending date of execution to March 8, 1946.

WILSON DE LA ROI, San Quentin Nos. 63949 and 63949a, was convicted on September 28, 1942, in Sacramento County, of assault by life convict, and scheduled to be executed March 8, 1946. Reprieve granted upon request of the Supreme Court of the State of California in order to allow the Supreme Court to consider a writ of error coram nobis. Granted March 6, 1946, extending date of execution to June 7, 1946.

WILSON DE LA ROI, San Quentin Nos. 63949 and 63949a, was convicted on September 28, 1942, in Sacramento County, of assault by life convict, and scheduled to be executed June 7, 1946. Reprieve granted as the Supreme Court of the State of California expressed a doubt as to whether its opinion denying Wilson De La Roi's petition for a writ of error coram nobis fell within the 30-day rule of the Supreme Court. Granted June 5, 1946, extending date of execution to June 28, 1946.

JOHN THOMAS HONEYCUTT, San Quentin No. A-3291, was convicted on February 14, 1946, in Los Angeles County, of murder first degree and two prior felony convictions, and scheduled to be executed on January 3, 1947. Reprieve granted upon request of Richard A. McGee, Director of Corrections, in order that further sanity tests can be made. Granted December 27, 1946, extending date of execution to February 7, 1947.

WILLIAM LEVA HOUGH, San Quentin No. 68807, was convicted on August 20, 1942, in Los Angeles County, of murder first degree, and scheduled to be executed January 12, 1945. Reprieve granted upon request of William R. McKay, Judge of the Superior Court of Los Angeles County, to allow his court to hear a writ of error coram nobis. Granted January 11, 1945, extending date of execution to February 16, 1945.

WILLIAM LEVA HOUGH, San Quentin No. 68807, was convicted on August 20, 1942, in Los Angeles County, of murder first degree, and scheduled to be executed February 16, 1945. Reprieve granted upon request of the Supreme Court of the State of California. Granted February 15, 1945, extending date of execution to May 18, 1945.

WILLIAM LEVA HOUGH, San Quentin No. 68807, was convicted on August 20, 1942, in Los Angeles County, of murder first degree, and scheduled to be executed May 18, 1945. Reprieve granted upon request of the Supreme Court of the State of California to allow that court sufficient time to write its opinion on the writ of error coram nobis. Granted May 4, 1945, extending date of execution to August 17, 1945.

WILLIAM LEVA HOUGH, San Quentin No. 68807, was convicted on August 20, 1942, in Los Angeles County, of murder first degree, and scheduled to be executed August 17, 1945. Reprieve granted by Acting Governor Frederick F. Houser in order to enable William Leva Hough to file a petition in the Supreme Court of the United States. Granted August 16, 1945, extending date of execution to September 21, 1945.

WILLIAM LEVA HOUGH, San Quentin No. 68807, was convicted on August 20, 1942, in Los Angeles County, of murder first degree, and scheduled to be executed September 21, 1945. Reprieve granted by Acting Governor Frederick F. Houser in order to allow additional time for William Leva Hough to file a petition in the Supreme Court of the United States. Granted August 17, 1945, extending date of execution to November 2, 1945.

WILLIAM MARVIN LINDLEY, San Quentin No. A-648, was convicted on November 18, 1944, in Sutter County, of murder first degree, and scheduled to be executed November 16, 1945. Reprieve granted by Acting Governor Frederick F. Houser, with a suggestion that further investigation be made by the State Division of Criminal Identification and Investigation. Granted November 15, 1945, extending date of execution to January 25, 1946.

WILLIAM MARVIN LINDLEY, San Quentin No. A-648, was convicted on November 18, 1944, in Sutter County, of murder first degree, and scheduled to be executed January 25, 1946. Reprieve granted upon request of the Supreme Court of the State of California in order to enable the Supreme Court to hear a writ of habeas corpus. Granted January 24, 1946, extending date of execution to April 26, 1946.

WILLIAM MARVIN LINDLEY, San Quentin No. A-648, was convicted on November 18, 1944, in Sutter County, of murder first degree, and scheduled to be executed April 26, 1946. Reprieve granted upon request of the Supreme Court of the

State of California to allow referee to hear and take testimony upon specified questions relative to the use of perjured testimony at the trial of petitioner. Granted March 26, 1946, extending date of execution to July 26, 1946.

WILLIAM MARVIN LINDLEY, San Quentin No. A-648, was convicted on November 18, 1944, in Sutter County, of murder first degree, and scheduled to be executed July 26, 1946. Reprieve granted upon request of the Supreme Court of the State of California to allow referee to file his report with the Supreme Court. Granted July 17, 1946, extending date of execution to November 1, 1946.

WILLIAM MARVIN LINDLEY, San Quentin No. A-648, was convicted on November 18, 1944, in Sutter County, of murder first degree, and scheduled to be executed November 1, 1946. Reprieve granted upon request of the Supreme Court of the State of California to allow referee to complete his report and for the cause to be placed on the calendar for argument. Granted October 17, 1946, extending date of execution to January 31, 1947.

WILLIAM JEROME PHYLE, San Quentin No. A-3240, was convicted on February 20, 1946, in San Diego County, of murder first degree, and scheduled to be executed December 6, 1946. Reprieve granted by Acting Governor Frederick F. Houser upon request of Clinton T. Duffy, Warden, San Quentin Prison, L. L. Stanley, M. D., Chief Medical Officer, San Quentin Prison, and D. G. Schmidt, M. D., Chief Medical Psychiatrist, San Quentin Prison, in order that alienists can assist in further examining William Jerome Phyle. Granted December 5, 1946, extending date of execution to February 7, 1947.

BENJAMIN H. WHITSON, San Quentin No. 71871, was convicted on June 22, 1944, in Alameda County, of murder first degree and robbery first degree, and scheduled to be executed April 20, 1945. Reprieve granted by Acting Governor Frederick F. Houser, pending his study of the case. Granted April 20, 1945, extending date of execution to May 18, 1945.

Pardons

Granted pursuant to Chapter 3.5, Sections 4852.01 to 4852.2 of the Penal Code, under which persons who have been released from state prison can demonstrate to the superior court of the county of their residence that they have rehabilitated themselves and earned the right to be considered for a pardon.

In each of the following cases the pardon has been granted pursuant to a certificate of rehabilitation issued by the superior court of the county of residence recommending the applicant to the Governor for a pardon.

NAT ARAGONE, San Quentin No. 50510, plead guilty to the crime of rape in San Joaquin County during July, 1931. He served approximately 5 years and 7½ months in prison and approximately 4 years and 11½ months on parole, being discharged therefrom on February 12, 1942. Certificate of rehabilitation issued June 26, 1944, by the Superior Court of Merced County. Granted September 11, 1945.

FRANK ASBILL, San Quentin No. 59430, was convicted of the crime of murder second degree in Humboldt County during October, 1936. He served approximately 4 years and 8 months in prison and approximately 1 year and 5½ months on parole, being discharged therefrom on December 3, 1942. Certificate of rehabilitation issued October 10, 1944, by the Superior Court of Alameda County. Granted September 19, 1945.

JACOB BARDFIELD, San Quentin No. 60492, was convicted of the crime of grand theft in Los Angeles County during June, 1937. He served 1 year and 2 months in prison and 1 year and 2 months on parole, being discharged therefrom on October 19, 1939. Certificate of rehabilitation issued September 13, 1944, by the Superior Court of Los Angeles County. Granted July 26, 1946.

A. W. BOMAR, also known as **ARTHUR W. BOMAR**, Folsom No. 4984 and San Quentin No. 22958, was convicted of the crime of grand larceny in Tulare County during August, 1901. He served approximately 3 years and 5 months in prison, being discharged therefrom on January 31, 1905. He was also convicted of the crime of burglary first degree in Kern County during May, 1908. He served 3 years in prison, being discharged therefrom on July 3, 1911. Certificate of rehabilitation issued May 31, 1944, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted November 3, 1945.

ARTURO BORREGO, San Quentin No. 31570, plead guilty to the crime of manslaughter in Orange County during April, 1918. He served approximately 4 years

and 9 months in prison and approximately 6½ months on parole, being discharged therefrom on July 30, 1923. Certificate of rehabilitation issued August 18, 1944, by the Superior Court of Orange County. Granted September 19, 1945.

JESUS CASTRUITA, San Quentin No. 29959, was convicted of the crime of robbery in Tulare County during October, 1916. He served approximately 10 months in prison, being discharged therefrom on August 8, 1917. Certificate of rehabilitation issued November 6, 1944, by the Superior Court of the City and County of San Francisco. Granted September 24, 1945.

TONY CATALINA, San Quentin No. 47717, was convicted of the crime of robbery first degree (2 counts to run consecutively), in Los Angeles County during October, 1929. He served approximately 4 years and 6½ months in prison and approximately 4 years and 3½ months on parole, being discharged therefrom on September 2, 1938. Certificate of rehabilitation issued July 12, 1944, by the Superior Court of Los Angeles County. Granted September 11, 1945.

FRED CHILCOTT, San Quentin No. 59415, was convicted of the crime of manslaughter in San Diego County during September, 1936. He served approximately 1 year and 9 months in prison and 3 years on parole, being discharged therefrom on June 27, 1941. Certificate of rehabilitation issued October 27, 1944, by the Superior Court of San Diego County. Granted September 19, 1945.

ARNOLD COHN, San Quentin No. 61241, was convicted of the crimes of robbery first degree, (10 counts), and robbery second degree, (1 count), in the City and County of San Francisco during December, 1937. He served approximately 2 years and 10½ months in prison and approximately 3 years on parole, being discharged therefrom on November 22, 1943. Certificate of rehabilitation issued February 5, 1945, by the Superior Court of the City and County of San Francisco. Granted July 26, 1946.

RAY COOPER, San Quentin No. 54312, was convicted of the crime of robbery second degree in Los Angeles County during June, 1933. He served approximately 4 years and 2 months in prison and approximately 2 years and 4 months on parole, being discharged therefrom on December 17, 1939. Certificate of rehabilitation issued May 23, 1945, by the Superior Court of Los Angeles County. Granted September 14, 1946.

FRANK DE ANGELO, San Quentin No. 51152, was convicted of the crime of arson in San Bernardino County during November, 1931. He served approximately 3 years and 6 months in prison and approximately 3 years on parole, being discharged therefrom on May 22, 1938. Certificate of rehabilitation issued September 25, 1944, by the Superior Court of San Bernardino County. Granted September 19, 1945.

HUMBERT FALLAI, San Quentin No. 46242, was convicted of the crime of robbery second degree in Alameda County during November, 1928. He served approximately 7 years and 5½ months in prison and approximately 2 years and 1½ months on parole, being discharged therefrom on June 15, 1938. Certificate of rehabilitation issued December 27, 1944, by the Superior Court of the City and County of San Francisco. Granted September 24, 1945.

JACK B. FAYLOR, also known as JACK BANE TAYLOR, San Quentin No. 63615, was convicted of the crimes of grand theft and violation of Section 503 of the Vehicle Code in Los Angeles County during October, 1936, and was sentenced to one year in the county jail. His sentence was suspended and he was released on two years probation. However, probation was revoked as a result of his arrest for the crimes of grand theft, (auto), and Violation of Section 503 of the Vehicle Code during September, 1938, and he was sentenced to five years probation, concurrently with prior sentence, with one year in the county road camp. During February, 1939, he escaped from the county road camp, probation was revoked, and he was sentenced to serve a term in the state prison for the crimes of violation of Section 503 of the Vehicle Code and escape. He served approximately 1 year and 10 months in prison and approximately 1 year and 6 months on parole, being discharged therefrom on October 25, 1942. Certificate of rehabilitation issued January 31, 1945, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted October 9, 1946.

NOEL S. FERGUSON, San Quentin No. 57442, plead guilty to the crime of violation of Section 447a of the Penal Code, (burning dwelling house), in Alameda County during March, 1935. He served 2 years and 1 month in prison and 1 year and 6 months on parole, being discharged therefrom on October 20, 1938. Certificate of rehabilitation issued August 17, 1944, by the Superior Court of Alameda County. Granted September 11, 1945.

PAUL T. FRANTZ, San Quentin No. 54876, was convicted of the crimes of manslaughter, (2 counts), and violation of Section 141 of the California Vehicle Act in Los Angeles County during October, 1933. He served 2 years and 1 month in prison and 2 years and 1 month on parole, being discharged therefrom on December 28, 1937. Certificate of rehabilitation issued December 6, 1944, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted October 9, 1946.

ROBERT GARNER, San Quentin No. 43242, was convicted of the crime of burglary second degree in Fresno County during February, 1927. He served approximately 2 years and 2 months in prison and approximately 11 months on parole, being discharged therefrom on March 27, 1930. Certificate of rehabilitation issued February 23, 1945, by the Superior Court of Fresno County. Granted July 29, 1946.

DAVID GENSS, San Quentin No. 39637, was convicted of the crime of receiving stolen property, (3 counts), in Los Angeles County during July, 1924. He served 1 year and 8 months in prison and 1 year on parole, being discharged therefrom on March 3, 1927. Certificate of rehabilitation issued June 15, 1945, by the Superior Court of the City and County of San Francisco. Granted September 14, 1946.

RAFAEL GHIGLIETTO, San Quentin No. 44351, was convicted of the crime of possession of a still in Alameda County during November, 1927. He served approximately 1 year and 10 months in prison and approximately 3 months on parole, being discharged therefrom on December 4, 1929. Certificate of rehabilitation issued July 7, 1944, by the Superior Court of Alameda County. Granted September 11, 1945.

M. GOMEZ, San Quentin No. 52855, plead guilty to the crime of forgery in Merced County during September, 1932. He served approximately 1 year and 10 months in prison and approximately 1 year and 9½ months on parole, being discharged therefrom on April 20, 1936. Certificate of rehabilitation issued June 15, 1945, by the Superior Court of the City and County of San Francisco. Granted July 31, 1946.

ANNA HALL, Tehachapi No. 58861, plead guilty to the crime of violation of Section 171-a of the Penal Code, (taking firearms into prison), in Sacramento County during March, 1936. She served approximately 2 years and 3 months in prison and 1 year on parole, being discharged therefrom on August 2, 1939. Certificate of rehabilitation issued March 3, 1944, by the Superior Court of Alameda County. Granted November 3, 1945.

HILDA HAMILTON, Tehachapi No. 565, was convicted of the crime of violation of Section 244 of the Penal Code, (assault with caustic chemical), in Los Angeles County during November, 1940. She served approximately 1 year and ½ month in prison and 1 year on parole, being discharged therefrom on December 18, 1942. Certificate of rehabilitation issued February 14, 1945, by the Superior Court of Los Angeles County. Granted July 29, 1946.

J. P. HARPER, San Quentin No. 31323, plead guilty to the crime of obtaining money by false pretenses in Orange County on December 15, 1917. He served approximately 1 year and 1 month in prison and approximately 2 months on parole, being discharged therefrom on May 2, 1919. Certificate of rehabilitation issued August 25, 1944, by the Superior Court of Orange County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted November 3, 1945.

R. B. HEDRICK, San Quentin No. 51136, plead guilty to the crime of grand theft in Los Angeles County during November, 1931. He served approximately 1 year and 10 months in prison and approximately 1 year and 9 months on parole, being discharged therefrom on June 21, 1935. Certificate of rehabilitation issued July 19, 1944, by the Superior Court of Los Angeles County. Granted September 11, 1945.

CLIFFORD WM. HEPBURN, San Quentin No. 61525, plead guilty to the crime of grand theft, (2 counts), in Los Angeles County during February, 1938. He served 1 year and 10 months in prison and 2 years and 4 months on parole, being discharged therefrom on April 19, 1942. Certificate of rehabilitation issued March 21, 1945, by the Superior Court of Los Angeles County. Granted July 26, 1946.

ISAAC F. HODGE, San Quentin No. 52425, plead guilty to the crime of grand theft, (2 counts), in Los Angeles County during June, 1932. He served approximately 3 years and 11½ months in prison and approximately 4 years and 6½ months on parole, being discharged therefrom on December 26, 1940. Certificate of rehabilitation issued April 12, 1944, by the Superior Court of Los Angeles County. Granted November 3, 1945.

H. E. HOLCOMB, San Quentin No. 51533, was convicted of the crime of manslaughter in Imperial County during February, 1932. He served 1 year and 4 months in prison and 1 year and 4 months on parole, being discharged therefrom on October 7, 1934. Certificate of rehabilitation issued April 2, 1945, by the Superior Court of San Bernardino County. Granted October 9, 1946.

OTTO HOLTGRETER, San Quentin No. 33757, was convicted of the crime of receiving stolen property in the City and County of San Francisco during May, 1920. He served 1 year and 2 months in prison and 6 months on parole, being discharged therefrom on January 19, 1922. Certificate of rehabilitation issued January 4, 1945, by the Superior Court of the City and County of San Francisco. Granted July 26, 1946.

THEO. F. HOPPS, San Quentin No. 46522, was convicted of the crime of manslaughter in Los Angeles County during January, 1929. He served 1 year and 4 months in prison and 1 year and 8 months on parole, being discharged therefrom on January 26, 1932. Certificate of rehabilitation issued July 26, 1944, by the Superior Court of Los Angeles County. Granted September 11, 1945.

JAMES TAYLOR HULL, San Quentin No. 65411, was convicted of the crime of burglary second degree, (6 counts), in Contra Costa County during August, 1940. He served approximately 1 year and 3 months in prison and approximately 2 years and 11 months on parole, being discharged therefrom on October 23, 1944. Certificate of rehabilitation issued May 2, 1945, by the Superior Court of Alameda County. Granted July 29, 1946.

WM. JOHANSON, San Quentin No. 39050, was convicted of the crime of carrying concealed weapon in Los Angeles County during February, 1924. He served approximately 1 year and 1½ months in prison and approximately 1 year and 2 months on parole, being discharged therefrom on June 20, 1926. Certificate of rehabilitation issued March 5, 1945, by the Superior Court of the City and County of San Francisco. Granted July 29, 1946.

CARL H. JOHNSON, San Quentin No. 55910, was convicted of the crime of manslaughter in Alameda County during April, 1934. He served approximately 1 year and 9½ months in prison and approximately 1 year and 9½ months on parole, being discharged therefrom on November 21, 1937. Certificate of rehabilitation issued May 4, 1945, by the Superior Court of Alameda County. Granted July 31, 1946.

E. GERTRUDE JONES, San Quentin No. 47673, was convicted of the crime of forgery, (7 counts), in Los Angeles County during October, 1929. She served approximately 2 years in prison, being discharged therefrom on October 24, 1931, at which time her sentence was commuted to time served by Governor James Rolph, Jr. Certificate of rehabilitation issued September 27, 1944, by the Superior Court of Los Angeles County. Granted September 19, 1945.

FRANK KORGAN, San Quentin No. 56945, was convicted of the crimes of grand theft from person and attempt to receive stolen property with a prior felony, and burglary second degree with a prior felony in Los Angeles County during November, 1934. He served approximately 2 years in prison and 1 year on parole, being discharged therefrom on November 13, 1937. Certificate of rehabilitation issued March 22, 1944, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted September 11, 1945.

FRANK KUKULA, San Quentin No. 40903, plead guilty to the crime of robbery first degree in Los Angeles County during May, 1925. He served approximately 5 years and 2 months in prison and approximately 2 years and 6 months on parole, being discharged therefrom on January 23, 1933. Certificate of rehabilitation issued December 11, 1944, by the Superior Court of the City and County of San Francisco. Granted September 24, 1945.

MILTON LEACH, San Quentin No. 55466, was convicted of the crime of burglary first degree in Fresno County during February, 1934. He served 2 years and 10 months in prison and 2 years on parole, being discharged therefrom on November 6, 1938. Certificate of rehabilitation issued March 16, 1945, by the Superior Court of Fresno County. Granted July 26, 1946.

GEORGE LINDSEY, San Quentin No. 43451, plead guilty to the crime of grand larceny in Amador County during April, 1927. He served approximately 4 years and 1 month in prison and 6 months on parole, being discharged therefrom on November 9, 1931. Certificate of rehabilitation issued April 19, 1944, by the Superior Court of Los Angeles County. Granted November 3, 1945.

GEORGE LONG, San Quentin No. 54404, plead guilty to the crimes of assault with a deadly weapon and attempted robbery in Riverside County during June, 1933. He served approximately 2 years and 9½ months in prison and approximately 2 years on parole, being discharged therefrom on April 7, 1938. Certificate of rehabilitation issued March 7, 1945, by the Superior Court of Los Angeles County. Granted July 29, 1946.

ROBERT C. LOWER, San Quentin No. 46422 and Folsom No. 16996, plead guilty to the crime of forgery, (2 counts), in Los Angeles County during December, 1928. He served approximately 6 years and 1 month in prison, being discharged therefrom on February 11, 1935. Certificate of rehabilitation issued April 28, 1944, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted September 11, 1945.

FRANK LUPINI, alias ETALO BERNARDINI, San Quentin Nos. 24665 and 30194, was convicted of the crime of robbery in the City and County of San Francisco during November, 1910. He served approximately 5 years and 6 months in prison, being released therefrom on parole on May 31, 1916. During December, 1916, while on parole, he was convicted of the crime of robbery in the City and County of San Francisco and was returned to prison on December 30, 1916. He served 3 years in prison, being discharged therefrom on his second commitment and being released therefrom on parole on his original commitment. He served 6 months on parole, being discharged therefrom on June 30, 1920. Certificate of rehabilitation issued September 19, 1944, by the Superior Court of the City and County of San Francisco. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted November 3, 1945.

CLARENCE MARTIN, San Quentin No. 46887, plead guilty to the crime of violation of Section 288a of the Penal Code in Alameda County during April, 1929. He served 9 years and 5 months in prison, being discharged therefrom on September 10, 1938. Certificate of rehabilitation issued July 3, 1945, by the Superior Court of Alameda County. Granted September 14, 1946.

RAYMOND W. McKEE, San Quentin No. 55744, was convicted of the crime of grand theft, (4 counts), in Los Angeles County on May 16, 1932. He served 2 years and 2 months in prison and 2 years and 7 months on parole, being discharged therefrom on December 24, 1938. Certificate of rehabilitation issued November 10, 1943, by the Superior Court of Los Angeles County. Granted November 3, 1945.

FRANK MERTZDORF, San Quentin No. 26635, was convicted of the crime of assisting a prisoner to escape in Los Angeles County during June, 1913. He served approximately 1 year and 2 months in prison and approximately 6 months on parole, being discharged therefrom on February 26, 1915. Certificate of rehabilitation issued October 6, 1944, by the Superior Court of the City and County of San Francisco. Granted September 19, 1945.

WALTER MILSTEAD, San Quentin No. 48422 and Folsom No. 18803, was convicted of the crime of violation of Section 476a of the Penal Code, (issuing fictitious check), in Tulare County during April, 1930. He served approximately 2 years and 2 months in prison and approximately 1 year and 5 months on parole at which time he violated his parole and was returned to State prison. He served approximately 1 year and 3½ months in prison, being discharged therefrom on March 6, 1935. Certificate of rehabilitation issued April 11, 1945, by the Superior Court of Los Angeles County. Granted October 9, 1946.

ALBERT C. MOORE, San Quentin No. 58552, was convicted of the crime of manslaughter in Los Angeles County during January, 1936. He served 4 years and 8 months in prison and 1 year and 9 months on parole, being discharged therefrom on June 18, 1942. Certificate of rehabilitation issued August 23, 1944, by the Superior Court of Los Angeles County. Granted September 19, 1945.

HARRY NEWMAN, San Quentin No. 63761, was convicted of the crime of manslaughter in San Bernardino County during July, 1939. He served approximately 2 years and 5½ months in prison and approximately 2 years and 6 months on parole, being discharged therefrom on June 26, 1944. Certificate of rehabilitation issued March 12, 1945, by the Superior Court of San Bernardino County. Granted July 26, 1946.

GEORGE CARL PEARSON, San Quentin No. 52600, plead guilty to the crime of grand theft in Santa Barbara County during July, 1932. He served approximately 2 years in prison, being discharged therefrom on parole on July 30, 1934, parole being revoked on March 2, 1935, and reinstated on October 19, 1937, and discharge ordered as of October 19, 1937. Certificate of rehabilitation issued February 16, 1944, by the

Superior Court of Alameda County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted November 3, 1945.

EMMA PENNINGTON, also known as EMMA WARD, San Quentin Nos. 18903 and 24881, was convicted of the crime of assault with an instrument likely to produce great bodily injury in Fresno County during March, 1901. She served 1 year and 3 months in prison, being discharged therefrom on June 3, 1902. She was also convicted of the crime of manslaughter in Sacramento County during February, 1911. She served approximately 6 years and 6 months in prison, being discharged therefrom on August 27, 1917. Certificate of rehabilitation issued June 19, 1944, by the Superior Court of Sacramento County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted November 3, 1945.

SPIRO PETTAS, San Quentin No. 35026, plead guilty to the crime of rape in Contra Costa County during June, 1921. He served 1 year in prison and approximately 2 years and 7 months on parole, being discharged therefrom on January 11, 1925. Certificate of rehabilitation issued October 2, 1944, by the Superior Court of Monterey County. Granted September 19, 1945.

CHARLES PIERO, San Quentin No. 41303, was convicted of the crime of rape in San Mateo County during September, 1925. He served approximately 7 years and 7 months in prison and approximately 4 years and 1 month on parole, being discharged therefrom on June 8, 1937. Certificate of rehabilitation issued November 10, 1944, by the Superior Court of the City and County of San Francisco. Granted September 24, 1945.

MAX PINSLEY, San Quentin No. 55350, plead guilty to the crime of grand theft in Alameda County during January, 1934. He served 1 year and 11 months in prison and 1 year and 1 month on parole, being discharged therefrom on January 20, 1937. Certificate of rehabilitation issued June 4, 1945, by the Superior Court of Alameda County. Granted October 9, 1946.

DICK PISCITELLA, San Quentin No. 45361, was convicted of the crime of burglary second degree during May, 1928. He served approximately 2 years in prison and approximately 2 years and 6 months on parole, being discharged therefrom on October 22, 1932. Certificate of rehabilitation issued April 2, 1945, by the Superior Court of the City and County of San Francisco. Granted July 26, 1946.

PERCY AMOS RANDOLPH, San Quentin No. 34288 and Folsom No. 11638, was convicted of the crime of robbery in the City and County of San Francisco during December, 1919. He was released on two years probation. However, probation was revoked as a result of his arrest for the crime of robbery in the City and County of San Francisco during December, 1920. He served 16 years and 1 month in prison, being discharged therefrom on January 23, 1937. Certificate of rehabilitation issued August 21, 1945, by the Superior Court of the City and County of San Francisco. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted September 30, 1946.

VIGGO RASMUSSEN, San Quentin No. 33590, plead guilty to the crime of grand larceny in Los Angeles County during March, 1920. He served 1 year and 6 months in prison and 1 year and 6 months on parole, being discharged therefrom on March 20, 1923. Certificate of rehabilitation issued September 20, 1944, by the Superior Court of Los Angeles County. Granted September 19, 1945.

EDGAR REAGAN, also known as FRANK JOHNSON, Folsom No. 6391, was convicted of the crime of burglary first degree in Los Angeles County during March, 1906. He served 3 years and 7 months in prison, being discharged therefrom on October 4, 1909. Certificate of rehabilitation issued January 10, 1945, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted November 9, 1946.

MANUEL SANTOS, San Quentin No. 59330, was convicted of the crime of violation of Section 480 of the Vehicle Code in Alameda County during August, 1936. He served 2 years and 1 month in prison and 1 year and 6 months on parole, being discharged therefrom on March 28, 1940. Certificate of rehabilitation issued April 15, 1944, by the Superior Court of Contra Costa County. Granted July 29, 1946.

RAY SHACKELFORD, San Quentin No. 35068, plead guilty to the crime of burglary first degree in Colusa County during June, 1921. He served approximately 2 years and 6 months in prison and approximately 10 months on parole, being discharged therefrom on November 9, 1924. Certificate of rehabilitation issued November 1, 1944, by the Superior Court of Los Angeles County. Granted September 24, 1945.

RAY SIGLIN, San Quentin No. 49590, was convicted of the crime of conspiracy to commit robbery first degree in Tulare County during January, 1931. He served approximately 2 years and 6½ months in prison and approximately 1 year and ½ month on parole, being discharged therefrom on August 26, 1934. Certificate of rehabilitation issued June 8, 1945, by the Superior Court of Santa Clara County. Granted July 31, 1946.

BERT E. SROCK, San Quentin No. 59238, was convicted of the crime of violation of Section 476 of the Penal Code in Santa Clara County during July, 1936. He served 1 year and 7 months in prison and approximately 1 year and 8½ months on parole, being discharged therefrom on November 15, 1939. Certificate of rehabilitation issued February 19, 1945, by the Superior Court of the City and County of San Francisco. Granted July 29, 1946.

EUGENE E. TAYLOR, San Quentin No. 43767, plead guilty to the crime of forgery in Los Angeles County during June, 1927. He served approximately 1 year and 3 months in prison and approximately 1 year and 9 months on parole, being discharged therefrom on June 18, 1930. Certificate of rehabilitation issued January 31, 1945, by the Superior Court of Los Angeles County. Granted July 26, 1946.

FRANCISCO VELENCIA, San Quentin No. 39092, was convicted of the crime of burglary second degree in Orange County during February, 1924. He served approximately 2 years and 1 month in prison and approximately 11 months on parole, being discharged therefrom on March 1, 1927. Certificate of rehabilitation issued December 15, 1944, by the Superior Court of Alameda County. Granted September 24, 1945.

D. H. WACKER, JR., San Quentin No. 49587, was convicted of the crime of making, passing, uttering fictitious check in Orange County during May, 1930. He served approximately 1 year and 10½ months in prison and approximately 1 year and 9 months on parole, being discharged therefrom on July 14, 1934. Certificate of rehabilitation issued March 9, 1945, by the Superior Court of Orange County. Granted July 26, 1946.

WM. J. WALKER, San Quentin No. 52251, plead guilty to the crime of violation of Section 68 of the Penal Code, (taking or receiving bribes by public officers), in Santa Cruz County on May 24, 1932. He served approximately 10½ months in prison, being discharged therefrom on April 13, 1933, at which time his sentence was commuted to time served by Governor James Rolph, Jr. Certificate of rehabilitation issued June 29, 1944, by the Superior Court of Santa Cruz County. Granted September 11, 1945.

MICHAEL J. WATERS, San Quentin No. 58363, was convicted of the crime of robbery first degree in Los Angeles County during November, 1935. He served 3 years in prison and 2 years on parole, being discharged therefrom on November 30, 1940. Certificate of rehabilitation issued September 13, 1944, by the Superior Court of Los Angeles County. Granted July 26, 1946.

WILKES HAYES WHEATLEY, San Quentin No. 54103, was convicted of the crime of robbery first degree in Los Angeles County during April, 1933. He served approximately 4 years and ½ month in prison and approximately 2 years and 4 months on parole, being discharged therefrom on September 29, 1939. Certificate of rehabilitation issued February 7, 1945, by the Superior Court of Los Angeles County. Granted July 29, 1946.

ASHLEY S. WILCOX, San Quentin No. 58523, plead guilty to the crime of violation of Section 476 of the Penal Code, (issuing fictitious checks), in San Joaquin County during January, 1936. He served approximately 2 years and 10½ months in prison, being discharged therefrom on November 20, 1938. Certificate of rehabilitation issued November 22, 1944, by the Superior Court of Los Angeles County. Granted September 24, 1945.

H. T. WILKERSON, San Quentin Nos. 63359 and 63350a, plead guilty to the crimes of (Group I), grand theft and violation of the Corporate Securities Act and conspiracy to violate the Corporate Securities Act in San Joaquin County during April, 1939, and (Group II), conspiracy to violate the Corporate Securities Act and conspiracy to commit grand theft, (2 counts), in Stanislaus County during April, 1939. He served approximately 1 year and 6½ months in prison and approximately 2 years and 6 months on parole, being discharged therefrom on April 26, 1943. Certificate of rehabilitation issued June 6, 1945, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted November 9, 1946.

ROBERT FRANK WILLIAMS, San Quentin No. 58068, plead guilty to the crime of assault by means and force likely to produce great bodily injury in Tulare

County on September 6, 1935. He served approximately 1 year and 6½ months in prison and approximately 1 year and 5½ months on parole, being discharged therefrom on September 8, 1938. Certificate of rehabilitation issued September 5, 1944, by the Superior Court of Tulare County. Granted September 19, 1945.

HARRY WILSON, San Quentin No. 35761 and Folsom No. 15111, was convicted of the crime of assault with intent to commit robbery in the City and County of San Francisco during December, 1921. He served approximately 3 years and 5 months in prison and 2 years on parole, being discharged therefrom on April 19, 1927. He also was convicted of the crime of robbery first degree in the City and County of San Francisco during February, 1928. He served 9 years and 2 months in prison, being discharged therefrom on April 15, 1937. Certificate of rehabilitation issued November 9, 1944, by the Superior Court of the City and County of San Francisco. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted September 14, 1946.

JOE WONG, San Quentin No. 46809, plead guilty to the crime of manslaughter in Riverside County during March, 1929. He served approximately 4 years and 5 months in prison and 1 year on parole, being discharged therefrom on August 30, 1934. Certificate of rehabilitation issued August 21, 1944, by the Superior Court of San Bernardino County. Granted September 19, 1945.

O. E. WYATT, also known as **OWEN E. WYATT**, San Quentin No. 25828 and Folsom No. 17774, was convicted of the crime of robbery in San Diego County during June, 1912. He served 3 years and 6 months in prison, being discharged therefrom on January 28, 1916. He was also convicted of the crime of grand theft in Los Angeles County during April, 1932. He served approximately 4 years and 4 months in prison and approximately 1 year on parole, being discharged therefrom on August 8, 1937. Certificate of rehabilitation issued May 2, 1945, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted October 9, 1946.

Pardons

Granted without reference to Chapter 3.5, Sections 4852.01 to 4852.2 of the Penal Code, after favorable recommendation.

JOE ASTENGO, Los Angeles County No. 43598, plead guilty to the crime of petty larceny in Los Angeles County on July 28, 1924. He served six months in the Los Angeles County Jail. Mr. Astengo is subject to deportation to Mexico. Pardon recommended by the Adult Authority. Granted August 24, 1946.

LOUIE BIANCHI, San Quentin No. 55645, was convicted of the crime of assault with intent to commit rape in Yolo County on February 14, 1934. He served 1 year and 3½ months in prison and 2 years on parole, being discharged therefrom on June 21, 1937. Pardon recommended by F. D. Monroe, Sheriff of Yolo County, C. C. McDonald, Judge of the Superior Court of Yolo County, who was District Attorney of Yolo County at the time Bianchi was convicted, Neal Chalmers, Attorney at Law, who was Judge of the Superior Court of Yolo County at the time Bianchi was convicted, Allen Moore, Chief State Parole Officer, and the Adult Authority. Granted August 24, 1946.

MARY GONZALES, Los Angeles Police Department Number 32087 M-2, was convicted of the crime of petty theft in Los Angeles County on March 22, 1937. She served ten days in the Lincoln Heights Jail in the City of Los Angeles. Mary Gonzales is subject to deportation to Mexico. Pardon recommended by A. G. Johnson, Chief of Police, La Habra, and the Adult Authority. Granted November 3, 1945.

HAROLD L. HJELM, San Quentin No. 69006, plead guilty to the crimes of forgery (470 Penal Code), 12 counts, and grand theft (489 Penal Code), 4 counts, in Stanislaus County on October 21, 1942. He served approximately 1 year in prison and approximately 1 year and 6 months on parole, being discharged therefrom on April 6, 1945. Pardon recommended by Brigadier General Victor R. Hansen, the Adjutant General, and Lieutenant Homer B. Legg, California State Guard. Granted August 30, 1945.

JOHN ISNARDI, San Quentin No. 57651, was convicted of the crime of grand theft in the City and County of San Francisco on May 2, 1935. He served approximately 4 years and 1 month in prison, being discharged therefrom on June 14, 1939. Pardon recommended by Lile T. Jacks, Judge of the Superior Court of the City and County of San Francisco, and the Adult Authority. Granted July 29, 1946.

ROBERT ROYAL OTT, San Quentin No. 62365, plead guilty to the crime of violation of Section 377 of the Agricultural Code in Siskiyou County on August 23, 1938. He served 1 year and 2 months in prison and 1 year and 2 months on parole, being discharged therefrom on December 24, 1940. Pardon recommended by C. J. Luttrell, former Judge of the Superior Court of Siskiyou County, Charles E. Johnson, District Attorney of Siskiyou County, Allen Moore, Chief State Parole Officer, and the Adult Authority. Granted November 3, 1945.

FRANK TRIBIOLI, Preston No. 4358, was convicted of the crime of attempted robbery in Los Angeles County on May 28, 1920. He served 1 year, 1 month and 21 days in the Preston School of Industry, being discharged therefrom on July 28, 1921. Tribioli is subject to deportation to Italy. Applicant's wife and child are American born. Pardon recommended by Fred N. Howser, District Attorney of Los Angeles County, and the Adult Authority. Granted November 3, 1945.

Commutations of Sentence

WILLIAM T. BURNS, San Quentin No. 55691 and Folsom No. 19558, was convicted in Los Angeles County during February, 1934, of kidnapping for purpose of robbery, (2 counts), robbery first degree and burglary first degree. He served approximately 7 years and 2 months in prison and was released on parole on June 20, 1941. Commutation of sentence to time served recommended by Allen Moore, Chief State Parole Officer, and the Adult Authority. Commutation of sentence to time served, to be, nevertheless, contingent upon subject's continued good conduct and behavior, granted August 24, 1946. (Conditional commutation of sentence.)

JOSEPH M. DU FOUR, San Quentin No. A-680, was convicted of violation of Section 11160 of the Health and Safety Code with two prior convictions of a felony, in Alameda County on November 11, 1944. Commutation of sentence recommended by Victor S. Wagler, Judge of the Superior Court of Alameda County and the trial judge in this case, Clinton T. Duffy, Warden, San Quentin Prison, and the Adult Authority. Commutation of sentence recommended by a majority of the Justices of the California Supreme Court. Commutation of sentence granted September 10, 1945, to make parole possible because of his critical illness, subject to the condition that Joseph M. Du Four remain under the parole supervision of the Adult Authority for a period of 3 years. (Conditional commutation of sentence.)

WILLIAM LEVA HOUGH, San Quentin No. 68807, was convicted of murder first degree in Los Angeles County on August 20, 1942, and was sentenced to be executed. Commutation of sentence to life imprisonment recommended by a majority of the Justices of the California Supreme Court and Frederic H. Vercoe, Public Defender of Los Angeles County. Commutation of sentence to life imprisonment granted by Acting Governor Frederick F. Houser on November 17, 1945.

ANTONIO SANTIAGO MENDEZ, San Quentin No. A-592, was convicted of murder first degree in Los Angeles County on November 2, 1944, and was sentenced to be executed. Commutation of sentence to life imprisonment granted by Acting Governor Frederick F. Houser on December 4, 1946.

LEE KATHRYN PAIR, also known as **BETTY POPE**, Tehachapi No. 865, was convicted of forgery in Tulare County. She was received at the California Institution for Women at Tehachapi on June 13, 1945. At the time of her commitment her correct age was unknown. On September 17, 1945, Karl Holton, Director of the California Youth Authority, sent notification to the Governor that the records disclosed Lee Kathryn Pair, also known as Betty Pope, to be only 15 years of age. The California Youth Authority, the Board of Trustees of the California Institution for Women, and Glenn L. Moran, Judge of the Superior Court of Tulare County, recommended the granting of executive clemency. Commutation of sentence granted September 24, 1945, to time served, with the condition that Lee Kathryn Pair, also known as Betty Pope, be subject to the jurisdiction of the California Youth Authority for such time not exceeding the original maximum sentence. (Conditional commutation of sentence.)

JOSEPH P. SIDOTI, California Institution for Men No. A-3371, was convicted of robbery second degree, (2 counts), in Los Angeles County on February 10, 1946. Commutation of sentence recommended by Richard A. McGee, Director of Corrections, Kenyon J. Scudder, Superintendent, California Institution for Men at Chino, and the Adult Authority. Commutation of sentence granted November 25, 1946, to make parole possible because of his critical illness, subject to the condition that Joseph P. Sidoti remain under the parole supervision of the Adult Authority for a period of two years. (Conditional commutation of sentence.)

JEAN SUE VAN HART, alias JEAN O'CONNELL, Tehachapi No. 794, was convicted of issuing checks without sufficient funds, (2 counts), in San Diego County. She was received at the California Institution for Women at Tehachapi on October 24, 1944, giving her age as 22 years. On January 25, 1945, Karl Holton, Director of the California Youth Authority, sent notification to the Governor that the records disclosed Jean Sue Van Hart, alias Jean O'Connell, to be only 15 years of age. Karl Holton, Director of the California Youth Authority, Richard A. McGee, Director of Corrections, Thomas Whelan, District Attorney of San Diego County, and Alma Holzschuh, Superintendent of the California Institution for Women, recommended the granting of executive clemency. Commutation of sentence granted February 14, 1945, to time served, with the condition that Jean Sue Van Hart, alias Jean O'Connell, be subject to the jurisdiction of the California Youth Authority for such time not exceeding the original maximum sentence. (Conditional commutation of sentence.)

Message read, and ordered printed in the Journal.

President Pro Tempore of the Senate Presiding

At 11.10 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 1

Assembly Concurrent Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 1—In tribute to John B. Pelletier.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 1, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

Assembly Concurrent Resolution No. 1—In tribute to John B. Pelletier.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—37.

NOES—None.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 2—Relative to accredited press representatives and the authentication thereof.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 5

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 5

Assembly Concurrent Resolution No. 6

Assembly Concurrent Resolution No. 7

Assembly Concurrent Resolution No. 8

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 7—Relative to approving the new charter of the City of Santa Monica, California, which was submitted to the qualified voters of said city and voted for and ratified by them at an election held on the fifth day of November, 1946.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 7, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 7

Assembly Concurrent Resolution No. 7—Relative to approving the new charter of the City of Santa Monica, California, which was submitted to the qualified voters of said city and voted for and ratified by them at an election held on the fifth day of November, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Delap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Huise, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 5—Relative to approving certain amendments to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the fifth day of November, 1946.

Request for Unanimous Consent

Senator Burns asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 5, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 5

Assembly Concurrent Resolution No. 5—Relative to approving certain amendments to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the fifth day of November, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 6—Relative to the memory of Andrew L. Pierovich.

Request for Unanimous Consent

Senator Keating asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6

Assembly Concurrent Resolution No. 6—Relative to the memory of Andrew L. Pierovich.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—37.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 8—Relative to approving an amendment to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on November 5, 1946.

Resolution read, and ordered placed on third reading file.

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules:

Senate Resolution No. 15

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to receipt to the Controller for warrants for members and officers of the Senate.

Resolution read, and adopted.

By Senator Mayo:

Senate Resolution No. 16

Relative to the continuance of the Senate Committee on the Postwar Construction Program created by Senate Resolution No. 121 of the Fifty-sixth Regular session

Resolved by the Senate of the State of California, As follows:

1. The Senate Committee on the Postwar Construction Program created by Senate Resolution No. 121 of the Fifty-sixth Regular Session is continued as a Senate Committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senator Mayo:

Senate Resolution No. 17

Relative to the continuance of the Senate Committee on Interstate Cooperation created by Senate Resolution No. 147 of the Fifty-sixth Regular session

Resolved by the Senate of the State of California, As follows:

1. The Senate Committee on Interstate Cooperation created by Senate Resolution No. 147 of the Fifty-sixth Regular session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of five thousand dollars (\$5,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senator Breed:

Senate Resolution No. 18

WHEREAS, The Senate has learned with profound regret of the passing on December 3, 1946, of Glenn D. Willaman, Secretary of the California Real Estate Association, and

WHEREAS, Glenn D. Willaman since 1921 had served as Secretary of the Real Estate Association, and as representative of real estate interests at Sacramento, and

WHEREAS, During his years of service his unfailing courtesy, his friendliness, and his careful analysis of measures affecting real estate interests and the welfare of the people of California in general constituted him a valuable assistant in the framing of legislation and a dependable source of information upon the subject matter with which he was most familiar; now, therefore, be it

Resolved by the Senate of the State of California, That it deeply regrets the loss of this kindly spirit from the halls of the Legislature, and desires by this resolution

to express its sympathy to the members of his family and to those most closely associated with him in his work; be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to forward suitably prepared copies of this resolution to the members of the bereaved family, and to the California Real Estate Association.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—37.

MOTION TO PRINT REPORT IN JOURNAL

Senator Keating moved that the following Report of the Senate Committee on Governmental Reorganization be printed in the Journal, in 10 point type:

Motion carried.

REPORT OF THE SENATE COMMITTEE ON GOVERNMENTAL REORGANIZATION

Appointed under Senate Resolution No. 142 of the Fifty-sixth Session of the Legislature. Adopted June 16, 1945 (Senate Journal p. 3986)

MEMBERS OF THE COMMITTEE

JERROLD L. SEAWELL, *Chairman*

THOMAS F. KEATING, *Vice Chairman*

RANDOLPH COLLIER

THOMAS MCCORMACK

HARRY L. PARKMAN

In accordance with provisions of Senate Resolution No. 142, we submit herewith a report of the Senate Committee on Governmental Reorganization.

INTRODUCTION

The Senate Committee to Investigate the Department of Motor Vehicles filed a report with the Senate on April 16, 1945 (Senate Journal, Fifty-sixth Session, page 1609). Senate Resolution No. 142 established the Senate Committee on Governmental Reorganization, with the same membership, but outlining its duties in broader scope.

This committee was directed to study all facts relating to the organization, functions and administration of State Government, of any department, agency, or subdivision thereof, for the purpose of recommending changes and proposed legislation in order to promote efficiency, to reduce or eliminate costs, to provide for the consolidation of functions and removal of duplication, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the report its recommendations for appropriate legislation.

During 1945 this committee received a request from the Chairman of the Joint Fact-Finding Committee on Highways, Streets and Bridges to study two problems relating to the work of the joint committee but which it was decided more properly should be studied by the Senate committee. It was agreed by the members of both committees that the Senate committee would study two phases of motor vehicle administration: (1) modernization of motor vehicle registration procedures, and (2) traffic law enforcement.

The committee arranged with the Legislative Auditor for a study to be made of registration procedures to effect a more efficient and economical method of registering motor vehicles, and requested that this report be submitted to the committee not later than October 21, 1946.

The committee also arranged with Lt. Col. Franklin M. Krenl, Director of the Safety Division of the International Association of Chiefs of Police, Evanston, Illinois, to study traffic law enforcement in California with particular emphasis on the legislative, organizational, and administrative requirements of the California Highway Patrol. The results of the two studies on which the committee focused its attention are attached to this report as Appendix I (Modernization of Motor Vehicle Registration), and Appendix II (Report on the California Highway Patrol).

MODERNIZATION OF MOTOR VEHICLE REGISTRATION

The committee recommends the adoption of the proposals set forth in the Legislative Auditor's report and urges action on the part of the Legislature at the earliest opportunity in order that the administrative adjustments and other changes may be made in time for the next registration period. This committee is convinced that in addition to rendering more effective and satisfactory service to the public, that substantial money savings will accrue to the State, and that statistical information necessary to certain phases of motor vehicle administration will be available both to the Department of Motor Vehicles and other state agencies at minimum cost.

CALIFORNIA HIGHWAY PATROL

This committee, after consideration of Colonel Krenl's recommendations and after hearings in the State Capitol at which state administrators and other interested parties were called to testify, has concluded that a reorganization of the California Highway Patrol is necessary in order to bring about more efficient use of present manpower and equipment. The committee is convinced that this reorganization should be effected simultaneously with an increase in the number of patrolmen and other personnel.

The committee recommends that the Highway Patrol be separated from the Department of Motor Vehicles and be made a separate department under a director appointed by the Governor with the advice and consent of the Senate.

This new department will be vested with the same powers and duties as are vested in the present Division of Enforcement in the Department of Motor Vehicles.

The committee recommends that the Chief of the Patrol be exempt from civil service and that he shall serve under the supervision of the director. It is also recommended that the Chief of the Patrol be appointed by the Governor upon nomination by the director for a term of four years, but may be removed by the director after notice and reasonable opportunity to be heard.

In general, the committee is in favor of the objectives stated in Colonel Kreml's report, and is in favor of the methods used to obtain those objectives, but it does not agree with the line of command suggested by Colonel Kreml. In this connection, there is attached for the consideration of the Legislature, an alternative chart of departmental organization submitted to the committee by the Association of Highway Patrolmen.

In conclusion, the committee wishes to express its appreciation to the Legislative Auditor and to Col. Franklin M. Kreml for their efforts and very thorough studies. They also wish to thank the many persons both in and out of the state service who have cooperated with the committee.

The following report of the Senate Committee on Governmental Reorganization is approved by all members of the committee.

Respectfully submitted.

JERROLD L. SEAWELL, *Chairman*
THOMAS F. KEATING, *Vice Chairman*
RANDOLPH COLLIER
THOMAS McCORMACK
HARRY L. PARKMAN

APPENDIX I

MODERNIZATION OF MOTOR VEHICLE REGISTRATION

Report to the Senate Interim Committee on Governmental Reorganization

By Rolland A Vandegrift, Legislative Auditor

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE

ROLLAND A VANDEGRIFT, *Legislative Auditor*
CAPITOL, SACRAMENTO, CALIFORNIA

November 14, 1946

*Senate Interim Committee on Government Reorganization*HONORABLE JERROLD L. SEAWELL, *Chairman*
State Capitol, Sacramento, CaliforniaRe: Modernization of Registration Processes
of the Department of Motor Vehicles

GENTLEMEN: Accompanying this letter of transmittal is a proposed plan for mechanization of the processes by which motor vehicles are registered in California.

This report states that the utilization of punched cards and electrical accounting machines for registration of motor vehicles in California is both feasible and desirable. The report further states how this mechanization can be accomplished and why it is desirable. Every effort has been made to keep the report as brief as possible and to provide adequate visual aids for comprehension of the registration processes outlined. The following functions are within the scope of the proposed plan:

- a. Issuance of Registration Cards
- b. Issuance of Ownership Certificates
- c. Rating of registrations for Vehicle License Fees and Registration Fees
- d. Accounting and statistical analyses of registrations and fees
- e. Maintenance of adequate files and records

Under the present manual methods, the Registration Division finds it necessary to employ approximately 2,137 workers during the months of February, March, April and May of each year. Adoption of the proposed plan will reduce the total number of workers required during February and March by 590 units of personnel, since under that plan only 1,547 workers will be required. The greatest difference in the units of personnel required between the existing and proposed methods of operation occurs during the months of April and May. In those months approximately 2,137 workers are required by the present manual methods as compared with an estimated 600 workers who will then be required under the new plan. Thus, during these two months the mechanized

plan will require 1,537 fewer workers. For further details see Exhibit III, Personnel Needs.

The reduction in the number of units of personnel resulting from the adoption of mechanized registration processes is caused by the fact that machines manned by a few operators will do the work now performed by both permanent and temporary workers. For example, in the month of February in each year there would be 370 fewer permanent workers required and 220 fewer temporary workers, thus producing a decrease of 590 workers as mentioned above.

After the initial installation period, the personnel required for all of the *mechanized operations* combined will be approximately as follows:

Period	Maximum Number of Persons
March through October-----	73
November and December-----	93
January and February-----	337

From approximately 93 people in December the number of units of personnel will begin to rise in early January, and by about January 20th there will be 337 people working. This number of employees will continue until about February 20th when the number will fall off abruptly to about 73 by March 1st.

It is difficult to determine the exact amount of savings which will be realized through the adoption of the proposed plan for mechanical registration of motor vehicles, but it is safe to say that the savings will exceed \$500,000 annually. For further details regarding the computation of the annual savings, see Exhibit II. The difficulty in estimating savings stems from the fact that the Department of Motor Vehicles does not now maintain accurate functional cost data. The Director of Motor Vehicles stated that “* * * it is not possible under our present accounting system to obtain the actual cost of each function performed, due principally to the inevitable overlap of activities * * *.” This statement was made by the Director of Motor Vehicles in a letter which conveyed the department’s estimates of the cost of the various phases of registration processes.

Outstanding characteristics of the proposed plan are the speed and accuracy with which essential operations can be performed. It is commonly known that substantial backlogs of registration work are accumulated each year during the period in which renewals are processed. This delays the release of registration cards and certificates of ownership for long periods of time. Under the mechanized procedures the maximum number of days which will elapse from the time a complete, original application for registration is presented to the time the registration card is mailed will not exceed four days not counting Saturdays, Sundays and holidays which intervene. The plan provides for this speedy processing of original registrations throughout the entire year without any backlogs accumulating even at renewal time.

The mechanized plan also provides for the processing of corrections, such as transfers on the same basis. The plan also provides for the processing of renewals on the same four-day schedule throughout the entire year with the exception of the period from approximately January 28th through February 20th. During the latter period a small backlog of renewals will accumulate temporarily. This backlog will reach a maximum on about February 5th. Even at the maximum this accumulation of

work should never exceed four days' work. Thus, during the period of about three weeks each year an additional four days will be required for the mechanical processing of renewals.

Within four days after any transaction occurs, however, the Department of Motor Vehicles will be able to provide all services required by the public from its records.

The plan for mechanization also provides for the mailing of potential registration cards in duplicate to owners just prior to renewal time each year. An owner will present these cards with the necessary fees to renew his registration. The department will stamp the registration card indicating receipt of the fees and showing the new license or tab number and will immediately return the registration card with the license plates to the owner. Thus, the registration card will be immediately available for use in transferring ownership, etc. The duplicate copy of the registration card will be used by the department as the basis for correcting its records.

The attached plan for mechanical registration of motor vehicles is presented in two parts. Part 1, the body of the report, includes a statement of legislative and administrative actions which should be taken if the plan is to be executed, cost estimates, and sample forms. Part 2, which is printed separately, contains flow charts and plans for machine room and file room layouts.

Sincerely yours,

ROLLAND A VANDEGRIFT
Legislative Auditor

INTRODUCTION

Although it has been the subject of much interested thought and discussion, the basic system of registering motor vehicles in California has undergone only minor changes during the last 20 or 30 years. The changes which have been made thus far have resulted from revision of laws or from availability of new devices and equipment: complete modernization of the entire registration process has not been attempted. Today, the Department of Motor Vehicles is registering over 3,200,000 vehicles annually—the greatest motor vehicle registration work load in the world. Manual and semi-automatic accounting, filing and statistical methods are no longer adequate for treatment of this great work load. Such methods are relatively slow and costly and do not provide the measure of service required by the public, enforcement officials, and other interested persons.

Being cognizant of this condition in the affairs of the Department of Motor Vehicles the Senate Interim Committee on Governmental Reorganization requested the Legislative Auditor to seek an answer to the question: Can California's methods of registering motor vehicles be modernized to provide improved service attended by a reduction in administrative costs? Assuming that the answers to the foregoing question would be in the affirmative, the committee also expressed the desire for:

- (1) A plan through which the objectives expressed in the question could be realized,
and
- (2) A statement of the executive and legislative actions required to execute the plan.

Pursuant to the committee's request, various methods and kinds of equipment were considered to determine which offered the greatest overall advantages. It was the considered judgment of the committee's representatives that punched card methods and use of electrical accounting machines offered the greatest advantages. Therefore, the following plan for modernization of the processes used in registration of motor vehicles in California contemplates use of punched card methods.

Originally, it was intended that this survey and any resulting proposals would be limited to registration activities in the Department of Motor Vehicles but during the detailed review of the procedures presently employed from the counter and incoming mail desk through to the final registration and accounting operations, it became apparent that the accounting for fees and the analyses of fees and registrations were so directly related to the registration activities as to make it unwise to exclude these activities. Consequently, this report presents plans for mechanizing the procedures for:

- a. Issuance of registration cards
- b. Issuance of ownership certificates
- c. Establishing and maintaining adequate registration records and files
- d. Accounting for fees collected
- e. Analyses of both registrations and fees

In addition, the plan provides for follow-up of registrations which are not renewed thus furnishing delinquency control not now existing. This survey has resulted in the development of a carefully drawn plan which covers all operations. Motor vehicle administrators and tax administrators throughout the Nation are currently considering numerous controversial proposals for improving the functioning of Motor Vehicle Departments. In the hope that this plan for streamlining operations would not be confused with such proposals, the plan herein proposed has been designed to follow present procedures to the greatest extent compatible with good administrative practice and the objectives of the move toward modernization. The plan is flexible, however, and can be easily adjusted to legislative changes. The objectives of the plan herein proposed are the utilization of modern machine methods to provide greater service to the public, enforcement officials, and other interested persons. This report shows how the objectives can be economically achieved.

Perry L. Stauffer, Principal Research Assistant to the Legislative Budget Committee, has been responsible for the technical aspects of this report and will be available for advice and consultation during the period of installation and initial operation under the mechanized procedures.

Acknowledgment is gratefully given to the Director of Motor Vehicles and his staff officers who so whole-heartedly cooperated in the preparation of this report by furnishing basic data; to the American Association of Motor Vehicle Administrators whose representative contributed valuable suggestions and encouragement; and to the administrators in the motor vehicle departments of other states who so helpfully provided information regarding their laws and operations.

SUMMARY OF RECOMMENDATIONS

The facts disclosed in the committee's survey of the operations now employed in processing Motor Vehicle Registrations clearly indicate a recommendation that the use of punched card methods be adopted for registering motor vehicles and for analyzing such registrations.

Pursuant to this recommendation, the following specific suggestions are offered in order that the Legislature and administrative officials may clearly comprehend the actions by which they may execute this plan. Fortunately, only minor changes of law are required to make the benefits of the plan available. Thus, it follows that the major part of the action required to execute the plan falls within the existing power of the Director of Motor Vehicles.

A. LEGISLATION NEEDED

The following actions are desirable if the Legislature wishes this plan to be executed by the Department of Motor Vehicles:

1. Amend Sections 160 and 164 of the Vehicle Code

Objectives

To add a provision to the existing law which will allow renewal of the registration of a vehicle by presentation of a potential registration card provided for this purpose by the Department of Motor Vehicles.

Advantages

The potential registration cards would be mailed to the registered owner in duplicate during November and December just prior to the renewal period. Immediately upon payment of the required fees, the original copy would be validated and returned to the registrant with the license plates. Thus, the registration cards will be immediately available to the registrant to be displayed on the steering post of the vehicle or for use in transferring his equity in the vehicle or the ownership thereof.

The preparation and advance release of potential registration cards would occur when the work load is ordinarily low. Since the registration cards would be accompanied by request that the department be immediately notified if any information shown thereon is incorrect, much of the correction work would also occur when the work load is ordinarily low. This will simplify and expedite the renewal processes which follow.

Amended Language

Amend the language contained in Sections 160 and 164 of the Vehicle Code as follows:

SECTION 160. "Application for Renewal. Application for renewal of a vehicle registration expiring on the date above mentioned shall be made by the owner between January 1st and midnight of February 4th succeeding said expiration date and shall be made by presentation of the registration card last issued for the vehicle *or by presentation of a potential Registration Card issued by the department for use at the time of renewal and by payment of the full annual fee for such vehicle as provided in this code.*"

SECTION 164. "Department to Renew Registration. (a) The department upon renewing a registration, shall issue a new registration card and license plate or plates to the owner as upon an original

registration. In lieu of issuing a new registration card the department may indorse or authorize the indorsement of receipt or validation upon payment of the required fees, such receipt or validation to be stamped upon the registration card last issued for such vehicle during the preceding registration year, *or upon a potential registration card issued near the close of the preceding year which registration card when endorsed or validated shall constitute the registration card for the ensuing registration year*, and the department may, in place of issuing a new license plate or plates for the ensuing year, issue in lieu thereof a symbol or other device indicating the year number for which issued, which symbol or device shall be attached to the license plate or plates issued for such vehicle for the preceding calendar year, and, when so attached, said license plates with such symbols or devices shall for the purpose of this code be deemed to be the license plate or plates for the ensuing registration year.

The foregoing is intended to provide alternative methods whereby the department may issue usual registration cards with usual license plates or symbols or devices, as above stated, or may issue such symbols or devices to be attached to the license plates for the preceding calendar year and issue usual registration cards or may endorse or authorize the endorsement of a receipt or validate the registration card for the preceding year, *or validate a potential registration card issued by the department for use at time of renewal * * **

**2. Amend Section 10755 of the Revenue and Taxation Code and
Section 373 of the Vehicle Code**

Objectives

To provide that the following fees always be expressed in terms of even dollar amounts even when prorated for part of a year :

- (a) Registration Fees,
- (b) Weight Fees, and
- (c) Motor Vehicle License Fees

Advantages

Under the existing system this would eliminate writing, typewriting, and verifying two digits in the amount of each tax and in the total tax due, particularly when fees are reduced by reason of nonoperation of the vehicle during part of the year.

Under the proposed plan which this suggestion accompanies, key punching and verifying would be appreciably reduced if this idea were adopted and furthermore several columns on the punched cards would be available for more productive use.

3. Delete Section 164(b) of the Vehicle Code

Objectives

To discontinue present practice of notifying legal owners when the registration of a vehicle is renewed by the registered owner. In the event a legal owner loses contact with a debtor and wishes to know the current license number and address of the registered owner, the information could be readily obtained from the Department of Motor Vehicles. If title and registration records are separated the provision of these notices for legal owners is physically possible but the cost would be high.

Advantages

The Department of Motor Vehicles would be relieved of the cost of:

- (a) Preparing an extra copy of every registration card.
- (b) Selecting from the total, those cases involving legal owners.
- (c) Mailing copies of registration cards showing a legal owner.

This includes cost of sorting cards by post office of legal owner, placing material in envelopes, packaging bundles, and other regular mail room operations. Under the present law, the full volume of registration renewals is being reviewed to select the one-fourth which show legal owners. Of the fourth who are now notified of renewals, it does not stand to reason that many of the legal owners will have lost contact with their debtors who usually will be paying obligations or repaying loans in regular installments.

It appears that a tremendous amount of work is being done for benefit of a few legal owners who could obtain the required information upon request. Furthermore, the information thus obtained would be more current.

4. Change the Word "Affidavit" Wherever it Appears in Sections 164.5 and 675.5(4) of the Vehicle Code to "Certification"

Section 164.5 relates to nonoperation certificates.

Section 675.5 (4) relates to safety glass requirement.

It may be desirable to indicate that misrepresentation as to safety glass or nonoperation is a misdemeanor; then, misrepresentation as to safety glass would be punishable under Section 762. Misrepresentation as to nonoperation is punishable under Section 763, which carries heavier penalties.

Objectives

To discontinue requirement that an affidavit be included in:

- (a) Dealer's report of sale and request for registration, and
- (b) Certificate of nonoperation of vehicle.

Sufficient penalties for false certification are provided by the misdemeanor provisions of the Vehicle Code.

Advantages

Many mail applications must be returned for addition of a notarized affidavit. This delays the registration for the dealer or other applicant and, since it necessitates correspondence, it is costly for the Department of Motor Vehicles.

A rating clerk now must witness the signature on the affidavit when the applicant signs at the window and then must add his signature. If this proposal is adopted, the Department of Motor Vehicles' clerks will be relieved of the task of affixing their signatures and the date on these documents. In 1936 when Section 675.5 (4) regarding safety glass became effective, safety glass was not universally used; today it is. The item requiring a statement of the type of glass should remain on the application; and if left blank, the application should be returned for completion just as is done at present.

No one has ever been charged with perjury for a false statement under either Section 164.5 or 675.5 (4) of the Vehicle Code.

B. ADMINISTRATIVE ACTIONS NEEDED

1. Decision Relative to Extent of Decentralization

In considering the plan, it will be essential for the Director of Motor Vehicles to decide upon the extent to which the mechanized operations outlined in this plan would be decentralized. The plan has been presented on a centralized basis for the sake of simplicity in presentation but a considerable measure of decentralization will be feasible and will permit the Department of Motor Vehicles to draw upon the labor market throughout the State, particularly for processing of renewals. Probably, greater decentralization will be desired in cashiering activities relative to issuance of licenses than in the subsequent mechanical processes.

2. Creation of Bureau of Tabulating Services

It is essential that the Department of Motor Vehicles create a new Bureau of Tabulating Services to be headed by a supervisor who has the training and experience required for administration of a large tabulating installation and who, by his experience, has proved his ability to satisfactorily discharge the duties which would thus be imposed upon him. The creation of this separate bureau is dictated by the need for the Bureau of Tabulating Services to function in accordance with the highest standards and best known practices with respect to use of punched card methods. It is contemplated that such officers of the department as the registrar or the financial advisor would determine the nature of the reports and other information to be furnished by the Bureau of Tabulating Services but that the manner in which the operations are performed within the Bureau of Tabulating Services would fall entirely within the authority of the supervisor of the Bureau.

3. Preparation of Operating Manuals

Operating manuals should be prepared detailing the operations presented in the plan as originally drafted or amended during its consideration. It is recognized that the Division of Budgets and Accounts in the Department of Finance will be invited to assist in the development of the manual of operations but only a short period of time should be required for this.

4. Preparation of Statement of Budgetary Needs

During the course of the development of the manual of operations, the Department of Motor Vehicles should prepare a statement of its anticipated budgetary needs, particularly for the year in which the conversion from the present to the new system occurs. It is not anticipated that any additional funds will be required even during the installation year, but of course, any upward or downward budgetary adjustments will be presented to the Department of Finance and the Legislature for clearance in the usual fashion.

5. Dissemination of Effective Publicity

The Public Relations Officer of the Department of Motor Vehicles can render a great service through effective dissemination of information to the public informing them as to their part in the plan, explaining the objectives of the plan, and indicating the benefits to be derived.

6. Discontinue Present Policy of Delaying Release of Registration Cards
and License Plates on Mail Renewals Paid by Checks

At present, the release of many license plates and registration cards plus a lesser number of certificates of ownership is delayed by a financial policy of the department.

This policy requires the withholding of registration cards and license plates of mail renewals for a period of approximately two weeks to allow ample time for the checks to be paid by the drawee banks or for dishonored checks to be returned to the department.

It is true that this very conservative policy precludes the release of license plates and registration cards for which dishonored checks have been tendered by mail, but likewise, the great majority of owners who renew their registrations by mail are inconvenienced by the withholding of their registration cards and license plates.

This withholding is undesirable from an enforcement standpoint, since the owner has submitted his registration card for renewal and hasn't even a receipt on the steering post of the vehicle in such cases. The immediate releasing of registration cards and license plates where payment in full is received with a mail application would have the following administrative effect:

(a) Masses of such cases would not be stored pending time for release.

(b) There would be some decrease in correspondence asking where license plates and registration cards are.

(c) There would be fewer requests for duplicate registration cards, since owners would receive their registration cards promptly for use when transferring title.

(d) There would be fewer references to the license number file because registration cards would be returned to the steering posts of the vehicles more promptly.

(e) The department would have to bill owners and otherwise pursue collection of amounts of dishonored checks plus the attendant penalties. At present, the department computes the additional and total amounts due in such cases and corresponds with the owners to collect. Thus, the proposed change would add nothing to present costs of these operations. Under the proposed policy, there would be an additional cost entailed in suspending licenses where the owners fail to respond to billings and collection letters. Such additional costs would be justified by the prompt release of license plates and registration cards. Under the prompt processing of the mechanized procedures, it is expected that fewer checks would be dishonored, since part of the existing difficulty may be attributed to the delays in processing encountered under existing procedures.

GENERAL PLAN FOR MECHANICAL REGISTRATION OF MOTOR VEHICLES

A. ORIGINAL REGISTRATIONS

The majority of original registrations of vehicles will cause the punching of the following cards:

a. Punched Registration Cards

- (1) Name and Address Card containing name and address of owner.
- (2) Description Card containing the full description of the vehicle.
- (3) Name and Address Card containing name and address of legal owner. (25 percent of registrations.)

b. Account Card

(1) Account Card containing accounting information. From the account cards, cross-reference cards will be mechanically reproduced for the cross-reference files for the Los Angeles and Sacramento offices. From the name and address cards and the description cards, cards will be mechanically reproduced for the alphabetical file and engine number file. The name and address cards together with the description cards will be used to mechanically write registration cards and certificates of ownership.

B. RENEWALS OF REGISTRATIONS

Advance Issuance

Near the end of each year the punched registration cards from the license number file can be used in electrical tabulating machines to write potential registration cards in duplicate. These potential registration cards would be mailed to registered owners. Each owner will then present the potential registration card when he pays his renewal fees. The original copy, that is the registration card, will be stamped with the new license or tab numbers by the cashier and returned to the owner immediately for use on the steering post of his vehicle.

The renewal of registrations will cause the punching of an account card only from the duplicate copy of the potential registration card.

The account card will be used in the mechanical correction of all files to reflect the renewal.

From account cards, cards for the cross-reference files in the Los Angeles and Sacramento offices will be mechanically reproduced.

C. CORRECTIONS

Miscellaneous corrections will cause the punching of an account card. Each account card will be reproduced for the cross-reference files for the Los Angeles and Sacramento offices. The majority of corrections will only require the punching of one punched registration card; i.e., either a name and address card or a description card to be added or substituted in the files. Furthermore, in many instances where a lien is paid off the only action required will be the use of the account card to mechanically remove the name and address card of the legal owner followed by the listing of the new registration cards and certificates of ownership.

D. SPEEDY PROCESSING

Essential characteristics of the modernized methods will be speed and accuracy. Below is shown the maximum number of days an owner

may be without a registration card or ownership certificate following the time a batch of registration transactions occur. There is also shown the time required to reflect these transactions in the files counting from and including the day the transactions started.

1. Processing Original Registrations

<i>Explanation</i>	<i>Working days</i>
a. Cashiering transactions in a local office, plus mailing time to the central office_	3
b. Preparation of punched registration cards followed by use of these cards in listing registration cards and certificates of ownership. Lastly, the registration cards and certificates of ownership will be mailed. The time will be six hours for machine processing and two hours for mailing_	1
Maximum number of days elapsing in issuance of registration cards and certificates of ownership_	4*
c. Cross-reference file	
Simultaneously with the processing of the sets of punched registration cards, the cross-reference cards will be reproduced from account cards and filed as indicated in Chart 2. Thus, these operations will occur during the same four days required for issuance of registration cards_	4
d. License number file	
During the last two hours of the four day processing of punched registration cards these cards will be placed in a "working file" where they will be available for reference or use in processing transfers or corrections. Not later than the fourth day thereafter these sets will be filed in the license number file_	4
e. Engine No. File and Alphabetical File	
The cards for the engine number file and alphabetical file will be prepared during the last half of the day on which a registration is received in the Central Office and the cards for each of the files will be available in separate working reference files by the close of that day which will be the 4th working day after the transactions occurred. Then, by not later than the close of the 4th working day thereafter the cards will be filed in the Engine No. File. Thus, by the 8th day items will be in Alphabetical and Engine No. File_	4

2. Processing of Annual Renewals of Registrations

With the equipment provided in the cost estimates relative to mechanization, the processing times will be the same as for original registrations except that during the peak period from approximately January 28 through February 17, a backlog will accumulate temporarily. This accumulation should never exceed four days work. Thus, during a period of about two and one half weeks each year, an additional four days would be required for processing renewals.

3. Processing of Changes

The processing of changes will be performed daily even during the renewal period. The processing times required will be as indicated above for processing original registrations.

E. PERSONNEL NEEDS

Under the present manual methods, the Registration Division finds it necessary to employ approximately 2,137 workers during the months of February, March, April and May of each year. Adoption of the proposed plan will reduce the total number of workers required during February and March by 590 units of personnel, since under that plan only 1,547 workers will be required. The greatest difference in the units of

* Not counting Saturdays, Sundays, and holidays which intervene.

personnel required between the existing and proposed methods of operation occurs during the months of April and May. In those months approximately 2,137 workers are required by the present manual methods as compared with an estimated 600 workers who will then be required under the new plan. Thus, during these two months the mechanized plan will require 1,537 fewer workers. For further details see Exhibit III, Personnel Needs.

The reduction in the number of units of personnel resulting from the adoption of mechanized registration processes is caused by the fact that machines manned by a few operators will do the work now performed by both permanent and temporary workers. For example, in the month of February in each year there would be 370 fewer permanent workers required and 220 fewer temporary workers, thus producing a decrease of 590 workers as mentioned above.

After the initial installation period, the personnel required for all of the *mechanized operations* combined will be approximately as follows:

Period	Maximum Number of Persons
March through October.....	73
November and December.....	93
January and February.....	337

From approximately 93 people in December the number of units of personnel will begin to rise in early January, and by about January 20th there will be 337 people working. This number of employees will continue until about February 20th, when the number will fall off abruptly to about 73 by March 1st.

F. COSTS

It is difficult to determine the exact amount of savings which will be realized through the adoption of the proposed plan for mechanical registration of motor vehicles, but it is safe to say that the savings will exceed \$500,000 annually. For further details regarding the computation of the annual savings, see Exhibit II. The difficulty in estimating savings stems from the fact that the Department of Motor Vehicles does not now maintain accurate functional cost data. The Director of Motor Vehicles stated that " * * * it is not possible under our present accounting system to obtain the actual cost of each function performed, due principally to the inevitable overlap of activities * * * " This statement was made by the Director of Motor Vehicles in a letter which conveyed the department's estimates of the cost of the various phases of registration processes.

G. PERMANENT REGISTRATION OF MOTOR VEHICLES

Registration of vehicles for periods of more than one year would reduce annual operating costs under this proposed plan since the annual reconstruction of files would be eliminated. The registration cards could still be mailed prior to each new year. Notices of renewal could be issued by entirely automatic processes since account cards would be used to mechanically select the related sets of punched registration cards from the license number file. After having been used to list the required notices, the sets of punched registration cards would be refilled by machine.

Registration of vehicles for periods of more than one year would necessitate a cross-reference between the current tab number and the registration number similar to the cross-reference file used during the

war years. The cross-reference file referred to throughout this report would serve this purpose.

This proposed plan for mechanical registration of motor vehicles would provide for complete treatment of the cross-reference file by machine processes.

H. DECENTRALIZATION

Greater decentralization of window operations will have no effect upon the modernized operations outlined in this plan since mechanization of registration processes starts after the completion of cashiering and other window operations.

Actually, part of the mechanized processing may also be decentralized since some keypunching, reproducing, and filing could be performed by machine in area (issuing) or local offices. During the renewal peak the department could thus draw on the labor market in San Diego, Los Angeles, and San Francisco as well as Sacramento.

CHARTS OF OPERATIONS

The nine charts which are shown in Part 2 afford a comprehensive visual presentation of the plan for modernization of registration operations and the related accounting operations by use of punched card methods and electrical business machines. The following comments relative to each chart supplement the information shown on the charts.

CHART 1. GENERAL WORK FLOW

A. Basic, Original Documents

Under the proposed plan, as with present operations, the original source documents for issuance of registration cards and ownership certificates or for entries correcting the records of the department will be: Dealers report of sale and application for registration of vehicles of all types, indorsed * registration cards and certificates of ownership, and notices of change or correction. For renewals under the proposed plan a duplicate copy of a potential registration card mailed just prior to renewal time will serve as the basic document in lieu of the registration card for the preceding year which has heretofore been required by the Vehicle Code.

Under the proposed plan these original documents would also provide information as to the city and/or county in which the vehicle is garaged (information urgently needed by other legislative committees), revenue type which will be a statistical code to facilitate mechanical analyses of registrations and fees, and a place for application of a cashier's stamp which will include the new license number, the Great Seal of the State of California and date payment is received together with area number, office number, and employee number of the person making the validation.

If the Legislature amends Section 10755 of the Revenue and Taxation Code to provide that the amounts of tax determined shall be lowered or raised to the nearest dollar amount, the entries on the original documents will be expressed in even dollars as contrasted with the present practice of expressing these amounts in dollars and cents where fees are computed for a part of a year rather than for a whole year.

If the Legislature amends Section 164.5 pertaining to nonoperation certificates and Section 675.5 (4) by substituting the word "certification" for "affidavit," this change will also be reflected on the original documents.

As shown in Chart 1, applications and other original documents will be filed in the title file when they have passed through the necessary processes and punched cards have been prepared from them. It is proposed that the data contained in the title file be arranged in order by the body serial number and by make of vehicle where there are several identical serial numbers. The body serial number has been chosen as the sequence of the title file because it changes less than the license number, engine number or name. Furthermore, there is currently a nationwide movement which is tending to place greater emphasis upon body serial number and less upon engine number. A separate series of permanent title numbers was discarded as the basis for a sequence

* Spelling conforms with that used in Vehicle Code.

of this file to avoid the cost that would be incurred by use of a seven-digit series of numbers. The use of a separate title number in addition to the other information now provided on registration cards and certificates of ownership would not provide any additional control and would entail the cost of punching the extra number in addition to body serial number and make of vehicle.

The establishment of a separate title file containing applications and other original documents as shown in Chart 1 will eliminate the existing necessity for checking the files for as many as five successive years in order to trace the various changes which have occurred in the registration of a given vehicle because all documents for each vehicle would be filed together in the proposed title file. In short, the title file will provide a source for the quick preparation of abstracts of ownership of a vehicle. This file can be purged upon receipt of a report that a vehicle has been junked, upon receipt of notice that the vehicle has been registered in a foreign state, or when there has been no renewal of registration for several successive years.

B. Punched Cards

For each vehicle registered there will be a set of punched registration cards plus one account card. It is estimated that there will be an average of 2.5 punched registration cards for each vehicle registered.

From the account cards, cross-reference cards will be reproduced mechanically for the cross-reference files which will be maintained in Los Angeles and Sacramento. From the master set of punched registration cards there will be automatically reproduced a card for each vehicle for use in the alphabetical file and a card for each vehicle for use in the engine number file. The master set of keypunched registration cards will be filed in the license number file.

From the punched registration cards, certificates of ownership and registration cards for use on the steering posts of vehicles will be prepared together with notices for commercial concerns, the Board of Equalization and the Controller. It is significant that after the registration of a vehicle has once been reflected in the files of the Department of Motor Vehicles, these records may be corrected to reflect new license numbers at the time of renewals of registration by the keypunching of a single card—an account card. By use of the account card, the registration files for the new year together with the analyses of registrations and fees will be automatically completed. This is one of the salient features of the proposed plan since the manual keypunching and verifying of the single account card will consume much less time and will therefore cost much less than the present practice of manually typewriting and verifying the complete registration card for each vehicle each year. It follows that, since there will be less manual work, fewer temporary employees will be required during renewal periods and those temporary employees who are required will be primarily keypunch operators. In a relatively short period of time typists can be trained to perform this type of work.

C. Registration Cards and Ownership Certificates

The registration cards and certificates of ownership to be employed under the proposed plan will conform with those now in use. The only changes will be the addition of the information regarding the city or

county in which the vehicle is garaged as this information is urgently needed by other legislative committees; revenue type which is the statistical code which will make possible the analyses of registrations and fees by mechanical methods in lieu of the manual methods now employed thus expediting the analyses and insuring greater accuracy; and addition of space for a cashier's stamp which will contain the Great Seal of the States of California and will indicate the new license number, batch number, area, office, cashier and date of the transaction. If the advance mailing of unvalidated registration cards referred to as potential registration cards is adopted, the registration cards will no longer carry the total fees for the following year since the fees for such following year will appear on the potential registration card issued for that year. If registration and title records are separated, a punched card ownership certificate may be used with advantage as indicated in the comments relative to Chart 2.

D. Statistical and Accounting Reports

All required statistical and accounting reports will be prepared by machine methods as indicated above in "B" and in Chart 9. A salient feature of the plan for mechanization is the flexibility of the system and equipment which will permit adjustments to meet changing legislative and administrative needs.

E. Files

It is in the establishment and maintenance of files that some of the most significant advantages from mechanization will be realized.

The basic registration files will consist of:

- (1) A license number file containing the master set of punched registration cards in license number order.
- (2) An alphabetical file containing a card for each registered owner containing all registration information for each vehicle in alphabetical order.
- (3) An engine number file containing a single card showing all registration information for each vehicle in order by engine number and make of vehicle together with cards providing cross-reference between old engine numbers and new engine numbers where changes have occurred.
- (4) A cross-reference file providing a cross-reference between license or tab numbers and registration (license plate) numbers for permanent registrations and permitting immediate referral from new license number to the information contained in the department's records under the old license number, particularly during renewal periods. This file would contain a card for every fee paid transaction performed by the department since the cards are automatically reproduced from account cards or miscellaneous transaction and fee cards.
- (5) A title file containing the original documents which were the source for establishment of the other files and records in the department including evidence of ownership, liens, notice that vehicle has been stolen, etc.

The stolen vehicle file has not been shown in the charts presenting the new plan due to the movement toward elimination of this file. However, if the file is not abolished economies can be realized by substitution of machine methods for the present manual methods. At present when a request that the files be "flagged" is received by the Registration Division, one card is filed in a master "stolen vehicle file" and another in the engine number, license number, or alphabetical file depending upon the circumstances of a particular case. In any event at the close of the year these files become obsolete and so a complete new set of "flag" cards is typewritten from the master "stolen vehicle file." These new "flag" cards are then used in the registration files for the new year.

If it is necessary to "flag" the files for control or correction purposes, the "flags" could be placed in the title file. Since this is a permanent file, these flags will not have to be prepared again each year. This will eliminate the present necessity for a separate master file or stolen vehicle file.

If other files in addition to the title file have to be flagged, punched cards and electrical business machines can be used as follows:

- (1) The license number, engine number, or name and code showing the reason for the "flag" would be keypunched in a master flag card. On this card would be recorded the essential information. This card would be used in the stolen vehicle file.
- (2) A "flag" card would be mechanically reproduced from the master card and then would be filed in one of the registration files. This reproduced card would not carry the information relative to the cause of the "flag" being placed in the file but the discovery of such a "flag" in the license number file, engine number file, or alphabetical file, would cause a referral to the master card in the stolen vehicle file.
- (3) If "flags" are used in the license number file, engine number file, and alphabetical file, flag cards for a new year can be reproduced from the master set in stolen vehicle file much faster than they can be typewritten at present. Then the "flag" cards could be interfiled by machine.

CHART 2. ORIGINAL REGISTRATIONS

A. Subject

The operations by which all types of original registrations will be processed are shown on Chart 2. To comprehend the operations reference must be made to Chart 2 since the following comments relative to processing and other significant features merely supplement the information provided by the chart.

B. Processing Time

The issuance of original registrations in accordance with Chart 2 will provide for the mailing of registration cards and ownership certificates to the owners within four days after an application for registration is presented to the department. Such registrations will be reflected in the registration files for the current year within four days after the application for registration is presented to the department.

C. Other Significant Features

1. "Ownership Uncleared"

In the case of a foreign application where registration of the vehicle to permit issuance of a license is desirable but title has not been cleared, this fact could be indicated by marking the application, "ownership unclear." Then a name and address card could be punched and used to cause "ownership unclear" to show in the place provided for the name of a legal owner. The card would thus be included in the set of punched registration cards in the manner in which a legal owner card is usually treated. When the title is cleared, the "ownership unclear" card could be removed and a legal owner card could be substituted or not as proper in the particular case. The procedure to be followed in such a correction would be that provided in Chart 5 relating to correction of records not involving a change of license number. In this manner, fees could be collected, a license plate would be provided on the vehicle, and the records of the department would be essentially complete, and a minimum of work would be involved in correcting the department's records. Upon correction of the department's record, a proper registration card and ownership certificate would be issued simultaneously. This same procedure could well be adopted with respect to resident registrations in which questions of title exist. In addition to the account card bearing the regular registration and vehicle license fees and penalties, a miscellaneous transactions card will be punched for the additional service fee charged nonresident applicants.

2. Decentralization Possible

This plan for mechanical registration of motor vehicles is presented as a centralized plan for simplicity in presentation and because the greatest economy is possible under a centralized plan of operation, but a considerable measure of decentralization is possible under the plan. For example, operations 1 through 8 on original registrations could be performed in area (issuing) offices, or those operations could be performed in the area office with the exception of the punching of the set of registration cards which could be punched in the central office. In fact, in a large office such as the main office in Los Angeles, operations 1 through 19 could be performed with the exception of operation 15 which then should be performed in Sacramento upon receipt of the set of punched registration cards from the Los Angeles office. These examples show that the plan allows considerable administrative latitude with respect to the extent of centralization or decentralization. If title and registration records are separated, operations 24, 25 and 26 could be performed in the area and local offices to provide the quickest possible delivery of the ownership certificate to the legal owner.

3. Separation of Title and Registration Records

If separation of title and registration records is adopted, operations 24, 25 and 26 as shown would be performed as indicated within the broken-line area in Chart 2 provided a punched card type of ownership certificate and the related mailing card are used. The advantages to be derived from the use of a punched card ownership certificate will be experienced when transfers of ownership or correction of ownership certificates occur. For example, when a change of ownership occurs, the local office would keypunch the name of the new owner in a punched

card ownership certificate and then place the old ownership certificate in the same reproducing keypunch machine to automatically complete the punching of the new ownership certificate. This operation could be performed in any office in which the volume of such corrections was sufficiently great to warrant the installation of one reproducing keypunch machine which can be rented for \$25 per month, plus one interpreter renting for \$75 per month. For all other offices, the total time for issuance of ownership certificates would be one day for the cashing operations and the reproduction of a new punched card ownership certificate plus mailing time from the small local office to the nearest office which has sufficient volume to warrant installation of a machine; thus, the additional days for mailing time would not be as great as that required if the ownership certificates were issued by the headquarters office in Sacramento.

4. Temporary Registration Card in Lieu of Present Receipt Form

As shown in footnote 2 and in the box immediately below operation 1 in Chart 2, an extra copy of an application for registration could be prepared to be validated by the cashier at the time of payment in lieu of the issuance of a temporary receipt. This validated registration card could then be placed on the steering post of the vehicle as a temporary registration card. It may well be that, particularly where the application shows the registered owner to be the legal owner, this document could be treated as a temporary ownership certificate and as such could be marked to indicate that it is void a given number of days after the date of issuance shown on the document. Then, since the records of the department will have been established from the original copy of the application, the "temporary" ownership certificate-registration card could be used to transfer title to the vehicle if such transfer was necessary prior to the release of the machine prepared registration card and ownership certificate. This would provide a means for processing urgent cases but the number of cases would, in all probability, be relatively small due to the short period of time required to issue ownership certificates under the new system. It is true that if title were transferred by use of the temporary ownership certificate, the department would nevertheless issue an ownership certificate to the person who had relinquished title to the vehicle. This is not a desirable aspect but causes no greater decrease in control of outstanding ownership certificates than is occasioned by the issuance of duplicate ownership certificates. Furthermore, such machine issued certificates would be difficult to alter for fraudulent purposes since indelible ribbon can be used. The machine type may be distinctive in form and access to such machines is not universal. The foregoing use of a temporary ownership certificate and registration card in lieu of a temporary receipt is only mentioned in this report for consideration since either the temporary receipt or temporary ownership certificate and registration card will serve the purpose of the proposed plan for mechanical registration of motor vehicles as presented in Chart 2.

In operation 16 shown in Chart 2 it is indicated that for each Board of Equalization license plate issued a notice of registration is sent to the Board of Equalization and to the State Controller. The copies sent to the State Controller are forwarded to field offices where they are sorted by B-E permit number and filed. Then when a delinquency occurs with respect to taxes administered by the Transportation Divi-

sion of the Board of Equalization, the Controller's office is notified of the delinquency and requested to collect the taxes or seize the vehicles from whose operation the tax delinquency arises. If the representatives of the Controller then seize the vehicles, they send a report of seizure and a description of the vehicle to the Sacramento office. As a precautionary measure, the Sacramento office of the Controller then verifies the description of the vehicle with the current registration information shown in the records of the headquarters office of the Department of Motor Vehicles. It is possible that, since the percentage of tax delinquencies to total number of operators subject to the taxes is small, Department of Motor Vehicles is unnecessarily preparing approximately 80,000 notices, and the field offices of the Controller are unnecessarily sorting and filing them. The entire procedure would be simplified if in the few cases where field collection assignments are issued, the Controller's office were to obtain a description of the vehicle to be seized from the records of the Department of Motor Vehicles, or from the records of the Transportation Tax Division of the Board of Equalization. This plan would afford a maximum insurance against the seizure of a vehicle of which the ownership had been transferred.

5. Dealers Codes on New Registration

Special mention is here made relative to the dealers codes now shown on original registration cards for vehicles first sold in California. *This identification code is not required for state business.* It is purely a specialized service gratuitously given to dealers, which they use in their private business to determine if one dealer has invaded the territory of another. Copies of such registration cards are sold to a commercial concern which makes the determination as to whether or not dealers have sold vehicles outside their assigned territories.

This service should be more than self-supporting and should yield a profit to the State for it materially interferes with the flow of business.

If it is desirable to show these dealer codes on original registration cards, they can be punched in the old license number columns of the description cards and from this source can be printed on the registration cards. In this way, provision of the desired information can be coordinated with the whole mechanized system.

CHART 3. ANNUAL RENEWAL OF REGISTRATIONS

A. Subject

This chart shows how the annual renewal of registrations will be processed under the proposed plan for mechanical registration of motor vehicles.

B. Processing Time

Under the proposed plan a registration card will be immediately handed or mailed to the owner immediately after it has been validated by a cashier. Eight days after completion of the cashiering operations, the renewal will be reflected in the license number file, engine number file, alphabetical file and cross-reference file. Within the same eight-day period the necessary notices of renewal will be released.

In the cost figures presented in this report sufficient machines and personnel are provided to insure the quick processing of renewals in order that the license number file, engine number file, and the alphabetical file will be current on about February 20th of the new year.

Under existing procedures some sorting in these files continued into September during the year 1946.

C. Other Significant Features

Chart 3 contemplates the use of potential (unvalidated) registration cards to be run during the "slack" period near the close of the expiring year and mailed in duplicate to the registered owner prior to renewal time. The owner will present both copies of the registration card for validation at the time the renewal fees are paid. The original registration card will be validated and immediately returned to the owner with the new license plates for immediate use on the vehicle. The duplicate copy will be retained by the Department of Motor Vehicles as the basis for corrections of its records.

In this manner the registration card will be on the steering post of the vehicle for enforcement purposes and would be immediately available for use in transferring ownership or an equity in the vehicle without the delay now experienced during the renewal period because the owner has surrendered his registration card and has only a temporary receipt in his possession.

Mr. Leavitt, the Assistant Postmaster in Sacramento, and his assistants have indicated that at least 85 percent of the potential registration cards sent by first class mail in advance of the renewal date will be delivered to the addressee. The Indiana Gross Income Tax Commission is now controlling income taxes by use of punched card methods and part of the plan involves the premailing of tax returns to the taxpayers. Prior to the adoption of the plan a test was completed by mailing out 100,000 of the preheaded returns. The return on the mailing was 84 percent. It is known that some of those who received returns in the test did not use them in reporting in the hope that they could escape the controls which they knew were being established.

Those persons who fail to receive a potential registration card or who received the card but have lost it prior to paying the renewal fees will, upon visiting or writing any office of the department, be furnished a request for duplicate registration card for renewal. The information for completing this form can be copied by the owner from the registration card for the *expiring* year. The information copied will not be the entire description of the vehicle; instead, only the information required for the account card will be copied. Then, the owner will print his name and present mailing address on the form. He will then present his registration card for the *expiring* year and the request for duplicate registration card for renewal at a "rating" (trouble cases) window for verification and application of the fees for the new year.

Lastly, the request for duplicate registration card will be presented to a cashier with the renewal fees. The payment will be cashiered, and both copies of the form validated. Then the original validated copy of the form will be immediately returned to the owner with his license plates. Thus, the copies of the request for duplicate registration card for renewal when validated will serve much the same purposes as the potential registration card would have since the original copy will be immediately available for use on the steering wheel of the vehicle. In these cases, the procedures do not immediately provide the owner with a document which can be used in transferring ownership but this

may not be too great a penalty to impose on the owner for failure to notify the department of his change of address or for failure to exercise proper care in retaining the potential registration card for use at renewal time.

For preparing registration cards for validation and mailing in such cases as described above, mechanical matching methods should be used to verify the fees computed manually by the rating clerks.

In those cases where title or equity in a vehicle is transferred near the end of the year and after potential registration cards have been mailed, the new owner would have to delay the renewal of the registration but a few days while waiting for the return of a corrected registration card for the expiring year. The owner, if he does not care to wait, can proceed with his renewal by using a request for duplicate registration card for renewal since the operations to reflect his ownership in the records of the Department of Motor Vehicles will have been completed prior to the time that the renewal transaction will be processed. It should be evident from the foregoing that no owner will be without a registration card under the proposed plan except in those instances where the endorsed registration card has been submitted for a transfer of title or correction. Even in these cases the registered owner will never be without the possession of his registration card for more than a few days.

From the validated duplicate copy of the registration card as batched in the cashiering process a single account card will be punched for each renewal. Reference to the sample account card on Exhibit I, page 13, will disclose that only the old and new license numbers, vehicle license fee class, cashiering information, statistical code, city and county codes, and fees will be punched in the account card. Names, addresses, and the full description of the vehicle will not be punched at the time of each successive renewal of the registration of a vehicle. Thus, that work which is most costly, the manual work, will be limited under the mechanized procedures. From the account card:

1. Punched cards will be reproduced for the cross-reference files.
2. Analyses of registration and fees for administrative and apportionment purposes will be obtained.
3. The engine number, license number, and alphabetical files of the department will be corrected to reflect issuance of the new license or tab.
4. Necessary notices of the renewal will all be prepared by automatic mechanical methods.

D. MECHANICAL RATING FOR VEHICLE LICENSE FEES

At present the vehicle license fees for the coming year for each renewal are ascertained by reference to vehicle license fee schedule. The total fees are then marked on the expired registration card being processed. From there they are copied when the current years registration card is typewritten. The fees thus entered on the registration card in total must subsequently be broken into the various types of fees by a subsequent reference to the vehicle license fee schedule at the time the renewal fees are paid. Under the proposed plan, this final breakdown of fees

would be entirely eliminated and the rating in the original instance would be performed entirely by mechanical processes as follows:

1. Cut a master card for each vehicle license fee class for each year. Thus, for each class there would be a master card for each of approximately 10 different years.

Separate sets of these master cards would be cut for:

- a. Automobiles
- b. Commercials
- c. Trailers
- d. Motorcycles

About 2,000 master cards will be required in all.

Each master card would show:

- a. V.L.F. Code
 - b. Year (first sold)
 - c. Registration and weight fees
 - d. Vehicle license fees
 - e. Total fees
2. Reproduce the new, current year description cards from the account cards as shown in operation 11 of Chart 3 punching therein the new license number, old license number, vehicle license fee class, and year first sold.
 3. Sort the new description cards by type of vehicle, by vehicle license fee class, and by year first sold. Each group of cards thus developed should relate to a master card.
 4. Interfile the related master card in front of each group of new description cards; i.e., place the master card bearing a given vehicle license class code and year in front of all account cards punched with same coding and year, and from the master card automatically punch the fees into each of the related description cards as indicated in operation 12 of Chart 3.

In the foregoing manner a description card will have been automatically rated for the vehicle license fees which are to appear on the potential registration cards to be mailed near the close of the year in which this operation is performed for use in renewals for the following year. Hereafter, only original registration applications and a small part of all corrections will have to be "rated" manually. The 3,000,000 renewals will be "rated" mechanically.

E. FOLLOW-UP OF REGISTRATION DELINQUENCIES

As shown in operations 30 through 32 the Director of Motor Vehicles may avail himself of the possibility of issuing delinquency notices with respect to vehicles registered in the preceding year for which no renewal has been received in the current year. This delinquency procedure or follow-up conforms with accepted practices followed by other state agencies charged with the responsibility of collecting taxes.

CHART 4. CORRECTION OF RECORDS INVOLVING COMBINATIONS OF LICENSE NUMBER CHANGES WITH OTHER CHANGES

A. SUBJECT

Chart 4 shows the processes by which combinations of corrections are reflected in the records of the department and corrected registration

cards and certificates of ownership issued as, for example, in the change of a truck registration from a regular registration to a B-E registration together with a change in the body and weight of the vehicle. The following comments supplement the explanation of operations provided by the chart.

B. PROCESSING TIME

Within four days after the completion of the cashiering operations, corrected registration cards and ownership certificates together with necessary notices of the corrected registration will be mailed to the owner and other interested persons. Similarly, within four days after completion of the cashiering operations the license number file, engine number file and alphabetical file of the department will reflect the corrections.

C. OTHER SIGNIFICANT FEATURES

Due to the extensive nature of these changes, a complete new set of punched registration cards will be prepared. The account cards punched in these cases will bear both the former license number and the new license number and will be used to pull the incorrect set of punched registration cards from the license number file by matching on the former license number. This will be an automatic process. In accordance with existing practices under which the engine number and alphabetical files are not purged but are simply added to as corrections are made, the chart shows simply the addition of the new description and owner cards to these files. If purging of the files is deemed desirable this can be readily accomplished by mechanical methods.

If the Director of Motor Vehicles wishes the cross-reference file to reflect all the fee transactions in order that the department may readily locate work in process or produce an abstract of the financial transactions during the year with respect to a particular vehicle, the account cards produced as punched in Operation 2 of Chart 4 will be used as a source for production of cross-reference cards. Cross-reference cards can be filed in the cross-reference file within four days after the transaction occurs.

CHART 5. CORRECTION OF RECORDS NOT INVOLVING A CHANGE OF LICENSE NUMBER

A. SUBJECT

Chart 5 outlines the procedures for correcting the registration records of the Department of Motor Vehicles where changes occur which do not involve a change of license number, as for example, a change of registered owner or change in the description of a vehicle or both of these types of changes combined.

B. PROCESSING TIME

Corrected registration cards, ownership certificates, and notices reflecting changes of the type covered by Chart 5 will be mailed to the owners and other interested persons within four working days after receipt of the notice of correction and endorsed registration cards and/or ownership cards. Within the same four days the changes will be reflected in the alphabetical, engine number and license number files of the Department of Motor Vehicles.

C. OTHER SIGNIFICANT FEATURES

This chart discloses that the only manual operation resulting from this type of change will be the punching of the current year license number plus that information which is corrected.

All of the information to be interfiled in each of the files daily will be mechanically sorted in the proper order and then interfiled at one time. Thus, material going into the files from original registration renewals and all types of corrections will be mechanically filed in a single operation.

In each correction transaction of the type covered by Chart 5 an account card will be punched to record the transaction.

If the Director of Motor Vehicles wishes a cross-reference file to reflect all the fee transactions in order that the department may readily locate work in process or produce an abstract of the financial transactions during the year with respect to a particular vehicle, the account cards will be used as a source for reproduction of cross-reference cards.

In cases where the correction consists of or includes an engine number change, an engine number cross-reference card will be keypunched bearing the old engine number and the new engine number. This cross-reference card will be filed in the engine number file under the old engine number.

CHART 6. CORRECTION OF RECORDS INVOLVING LICENSE NUMBER CHANGES ONLY

A. SUBJECT

This chart presents the method by which the files of the Department of Motor Vehicles will be corrected and corrected registration cards, ownership certificates, and notices released when the following types of transactions occur: receipt of requests for duplicate plates, the registration of vehicles entering this State during the same year in which they left, and transfers to or from B-E (Board of Equalization) plates.

B. PROCESSING TIME

As a result of the operations outlined, corrected registration cards and/or ownership certificates will be mailed by the close of the fourth day after the correction is received by the department. The license number file, engine number file, and alphabetical file will reflect the change within the same four day period.

C. OTHER SIGNIFICANT FEATURES

According to the statistical information reported by the Department of Motor Vehicles, the annual volume of this type of correction is less than 43,000 changes of which approximately 38,000 are requests for duplicate plates and 5,000 are transfers to and from Board of Equalization plates.

Chart 6 indicates that the only manual work involved in the correction of the records when a license number change occurs is the punching of an account card.

If the Director of Motor Vehicles wishes, the account card can be reproduced to provide a cross-reference card for these transactions in order that the cross-reference file will reflect every transaction which has occurred during the current year with respect to each license number.

If deemed desirable by the Director of Motor Vehicles, the decentralization of these operations could occur with respect to the punching of

the account cards which would then be mailed to Sacramento to be matched with the license number file and used in the reproduction of a corrected set of punched registration cards.

CHART 7. ISSUANCE OF DUPLICATE REGISTRATION CARDS OR OWNERSHIP CERTIFICATE WITH TITLE AND REGISTRATION RECORDS COMBINED OR ISSUANCE OF REGISTRATION CARDS WITH TITLE AND REGISTRATION RECORDS SEPARATED

A. SUBJECT

This chart presents the procedure to be followed in issuance of duplicate registration cards and ownership certificates. Approximately 207,000 requests for duplicate registration cards and ownership certificates are received annually.

B. PROCESSING TIME

Under this procedure, the duplicate registration cards or ownership certificates will be mailed by the close of the fourth day after the request is received. It is significant to note that these cards will not be refiled as a separate group but will be mechanically sorted together with all other sets of punched registration cards which are to go into the license number file on a given day, thus making the interfiling operation a satisfactory machine job.

In the operations shown by this chart as in the case of those shown by previous charts, at the discretion of the Director of Motor Vehicles the special fee cards can be reproduced to obtain a cross-reference card in order that the cross-reference file will reflect all transactions for each account number during the current year.

At the discretion of the Director of Motor Vehicles, the punching of the special fee cards in these cases could occur in local offices. Then the cards could be mailed to Sacramento to cause the preparation of duplicate registration cards or ownership certificates.

If title and registration records are separated the operations shown in Chart 7 should be performed in the issuance of registration cards, but references to ownership certificates should be ignored as ownership certificates will then be issued in accordance with Chart 8.

C. OTHER SIGNIFICANT FEATURES

The only manual work required after completion of the cashing of the duplicate fees will be the keypunching of a special fee card which will be used in accounting analyses and will also serve as the means for mechanically pulling the related set of punched registration cards from the license number file. The set of registration cards thus pulled will be used to list the duplicate registration card or certificate of ownership and will then be mechanically refiled in the license number file.

CHART 8. ISSUANCE OF DUPLICATE OWNERSHIP CERTIFICATES WITH TITLE AND REGISTRATION RECORDS SEPARATED

A. SUBJECT

This chart presents a plan for issuance of duplicate ownership certificates provided title and registration records are separated and provided a punched card ownership certificate is used.

B. PROCESSING TIME

From the time that the cashier releases the mailing cards and batches of requests for duplicate ownership certificates, 24 hours plus the mailing time from the office which handles the transaction to the headquarters office will be required for completion of the ownership certificates and placing it in the mail.

C. OTHER SIGNIFICANT FEATURES

The legal owner in requesting a duplicate ownership certificate would submit a request together with a mailing card on which he would write his name, address and the body serial number and make of the vehicle. Upon receipt of these, the Department of Motor Vehicles would punch the serial number of the vehicle and the make of vehicle in the mailing card and then mechanically sort the cards. The cards thus arranged would be used to pull information from the title file. Using the endorsed ownership certificate or other document from the title file as the source, a duplicate ownership certificate would be keypunched and interpreted. This would require the punching of a single line entry in a single card. Since the material would be pulled from the title file in engine number order and kept in that order, the duplicate ownership certificate can be placed behind the related mailing card by machine and the pair of cards mailed in a window envelope.

Simultaneously with the foregoing operations a miscellaneous fee card will be punched from the batches of requests for duplicate ownership certificates.

At the discretion of the Director of Motor Vehicles these cards can be reproduced to prepare a cross-reference card if it is the wish of the Director of Motor Vehicles to have the cross-reference file reflect all transactions which have occurred during the current year with respect to each license number.

At the discretion of the Director of Motor Vehicles, the punching of the miscellaneous fee cards and the mailing cards can be performed in local offices.

CHART 9. FINANCIAL AND STATISTICAL ANALYSES

A. SUBJECT

This chart presents graphically the important apportionment statements and other accounting and statistical analyses of registrations and fees.

B. PROCESSING TIME

The chief aspect of the mechanical preparation of these reports is the relative ease with which machines can make the necessary sorts and analyses and produce the necessary reports within a very short period of time.

C. OTHER SIGNIFICANT FEATURES

The statistical and financial analyses presented in this chart and included in the accompanying estimates of cost exemplify the potential savings and the ease with which reports and analyses may be obtained as a by-product and outgrowth of the mechanization of registration activities. Speed and accuracy are essential in these operations.

SUMMARY OF BENEFITS TO BE DERIVED FROM MODERNIZATION OF REGISTRATION PROCESSES

ADVANTAGES FOR THE PUBLIC

a. Time at Windows in Local Offices Decreased for Majority

- (1) Public invited to pay by mail using cashier's check or money order and potential registration card.
- (2) Under mechanical processing it will not be necessary for registrant to visit "rating" window to have his fees checked and amount he is to pay written on his old registration card.

b. Registration Card in Owner's Possession Immediately Upon Payment of Renewal Fees

- (1) At time of payment original registration card will be validated thus immediately providing owner with *card for use in vehicle or for use in transferring ownership*. This will *decrease* the department's *correspondence load* and relieve record keeping problems in lending agencies as well as eliminating delay which are annoying to the owner.
- (2) The registration card on the steering post will aid both enforcement officers and the department by reducing reference by license number for the purpose of obtaining name and address of the owner as is now necessary due to the present issuance of temporary receipts when renewal fees are paid. The fact that the owner has the registration card in his possession at all times may prevent his being detained by a police officer until his ownership of the vehicle can be verified with the Department of Motor Vehicles.
- (3) Even during the renewal period registration cards and ownership certificates for original registrations and corrections will be mailed within four days after receipt of these cases by the department. Thus minimizing the time during which owner is without these documents.

c. Quick Completion of New Year's Files

- (1) The lag from date of renewal transaction to time it is reflected in files will be eight days, assuming cashiering keeps current.
- (2) Files will reflect renewals and be current again by about February 20th of each year. The plan and cost are based on the processing of renewals during the period from approximately January 28th through February 20th of each year.
- (3) Complete, original registrations and fees will be processed currently and reflected in the files of the department within four days after receipt of such cases even during the renewal period.

d. Title to a Vehicle Can Be Ascertained and Abstracted

- (1) Abstract of changes in legal ownership, etc., can be quickly prepared by reference to the title file in lieu of the present practice of checking back through as many as five successive years.
- (2) If stolen vehicle control is required the title file can be "flagged." Since this is a permanent file, these flags will not have to be prepared again each year thus eliminating the present necessity for a separate stolen vehicle file for use in the annual preparation of flag cards.

e. Prompt Issuance of New Ownership Certificates

It has been pointed out above that Ownership Certificates will be issued promptly with title and registration records combined as they are at present. If title and registration records are separated, manual processing could be mechanized and the release of new certificates expedited by the use of a punched card Ownership Certificate. A draft of such a certificate is shown in Exhibit I.

ADMINISTRATIVE ADVANTAGES**a. Fewer Temporary Employees Under Mechanized System**

- (1) Fewer at windows due to invitation to the public to pay by mail.
- (2) Fewer at windows due to elimination of necessity for having fees for the new year checked and the amount to be paid entered on the old registration card prior to presentation of the registration card at a cashiering window. The fees to be paid as shown on the mechanically prepared registration cards will have been adequately checked and controlled prior to their release to the public.
- (3) Fewer in operations subsequent to cashiering due to mechanized rating, filing, etc.
- (4) Fewer in Personnel Bureau and Pay Roll Bureau due to employment of fewer persons.
- (5) Fewer in Accounting Bureau on apportionments and analyses of revenue.

b. Costs and Savings

Several hundred thousand dollars per year savings will result from:

- (1) Reduced operating costs.
- (2) Lower annual training costs.
- (3) Lower costs due to few errors as result of fewer temporary employees.
- (4) Mechanical rating.
- (5) Fewer at windows for both "rating" and cashiering.
- (6) Less correspondence.
- (7) Less enforcement reference.
- (8) Necessary references facilitated through files being in order early in year.

c. Statistics for Legislative Committees

- (1) If apportionment analyses need be made by city as well as county, this can be done for about \$2,000 in additional costs.

d. Cross-reference from New License or Tab Number to Old License Number

- (1) Cross-reference files will give immediate access to information available under the old license number thus aiding enforcement officials and assisting the department in the processing of correspondence.
- (2) These files will give reference to transactions by current year license number.
- (3) Cross-reference files will provide one of the controls of work in process. This will be most valuable during the conversion period and first year of full operations.

e. Delinquency Notices May Be Issued Regarding Failure to Reregister Vehicles

This offers a possibility of collection of taxes which are not determined due or collected by the present operations.

f. Decentralization of Window Operations

- (1) No effect on mechanical processing as mechanization starts after the cashiering operations have been completed.
- (2) Mechanization will eliminate ditto operations in issuing offices but some keypunching may advantageously be done in such offices. This will draw on the labor market outside Sacramento.

g. Permanent Registration of Motor Vehicles

This will require a cross-reference file just as would be required under the present methods but since the cross-reference file could consist of punched cards it could be sorted and processed more cheaply mechanically than manually. The file referred to above in "a" will serve this purpose.

h. Registration Cards

Registration cards (pre-listed) will be written during period of low work load.

i. Correction of Records

Correction of records will be performed in period of low work load as a result of advance mailing of registration cards.

j. Expanding Work Loads

Expanding work loads can be absorbed much more easily and at less cost with mechanized operations.

EXHIBIT I

FORMS TO BE USED IN PLAN FOR MECHANICAL REGISTRATION OF MOTOR VEHICLES

<i>Explanation</i>	<i>Page</i>
1. Certificate of ownership-----	99
2. Registration cards-----	100-103
3. Backs of registration cards and ownership certificates-----	104
4. Punched card forms-----	105-112
5. Request for duplicate registration card (for renewal purposes)-----	113

The forms shown in the following pages are only those which are new or are drastically changed under the new plan. Some slight changes in the layout and content of the applications for registration will be required as indicated in the comments relative to Chart 1, but the changes would not warrant the inclusion of the drafts in this report.

CERTIFICATE OF OWNERSHIP

Automobile

1 9 4 6
AUTOMOBILE
CALIFORNIA
CERTIFICATE OF
OWNERSHIP

This certificate is evidence of legal ownership of vehicle it describes. Deposit in a safe place. **DO NOT CARRY IN VEHICLE.** When vehicle is sold, certificate must be properly endorsed and presented, together with original registration card to the Division of Registration, Department of Motor Vehicles, for transfer.

DIVISION USE ONLY

Present
Form

Residence, County of

NAME John Doe
ADDRESS 822 D Gilman St
REGISTERED OWNER Berkeley Calif
CLASS 1-2

RP		RP	
LP		LP	
T		RE	
D			
TL			

Tab. No. 8851938
Registration No. 7J82951
Make & Cyl. Pont 8
Date First Sold 10-19-39
Date Issued 9-30-46
Serial No. C8HB-1117
Previously Registered In A R I Z
Engine No. 8-201608
Body Type 4D Tour Sed
Year 1940
Model Torp
Reg. Fee 6.00
License Fee \$ 6.90
CLASS Z-39

LEGAL OWNER
OR LEND HOLDER
OF RECORD
WITH DEPT.

Division Use Only

Follow the Instructions
on Reverse Side

AUTOMOBILE CERTIFICATE OF OWNERSHIP CALIFORNIA 1948 DEPARTMENT OF MOTOR VEHICLES		DO NOT CARRY IN VEHICLE <small>This certificate is evidence of legal ownership of vehicle it describes. Deposit in a safe place. Within 30 days after sale, to sell, certificate must be properly endorsed and presented, together with this (blank) registration card to the Division of Registration, Department of Motor Vehicles, for transfer. Penalties are provided by law for failure to report transfers promptly.</small>	
Name and Address of Registered Owner JOHN DOE 822 D GILMAN ST BERKELEY CALIF			
Registration No. 7J82951		Engine No. 8201608	
Date First Sold 10-19-39		Make & Cyl. PONT	
Serial No. C8HB1117		Body Type - Vehicle Model 4TS TOR 40 8	
Previously Registered In ARIZ			
Revenue Type 11		Total Fees 1948 3.00 6.90 9.90	
Name and Address of Legal Owner SANTIS USED CARS AND GAR 1142 F ST FRESNO CALIF			

Proposed
Form

(Prepared
simultaneously
with
registration
cards or
separately,
if desired.)

NOTE: The proposed form of certificates will be listed from the sets of punched registration cards from the license number file. Since the only difference between the front sides of the proposed registration forms and certificates of ownership is in the heading, only one sample certificate of ownership is provided since samples of all types of registration cards follow. These samples show the type and sources of information shown on the documents.

REGISTRATION CARD

Automobile

**REGISTRATION CARD
AUTOMOBILE
CALIFORNIA
1946**
DEPARTMENT OF
MOTOR VEHICLES

DIVISION USE ONLY

Present
Form

Residence, County of

Division Use Only

Cost

Rf		Rf	
Lf		Lf	
T		Rf	
D			
Tl			

NAME	John Doe		
ADDRESS REGISTERED OWNER	822 D Gilman St Berkeley Calif		
Tab. No.	2851939	Engine No.	8-201608
Registration No.	7J8295	Body Type	4D Tour Sed
Make & Cyls.	Pont 8	Year	1940
Date First Sold	10-19-39	Vehicle Model	Torp
Date Issued	9-30-46	Regis. Fee	\$ 3.00
Serial No.	C8HB-1117	License Fee	\$ 6.90
Previously Registered In	A R IZ		
LEGAL OWNER OR LEM HOLDER OF RECORD WITH DEPT			
Total Fees 1947 \$	9.90	SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS Registered owner must sign on reverse	

AUTOMOBILE REGISTRATION CARD CALIFORNIA 1946 DEPARTMENT OF MOTOR VEHICLES		IMPORTANT If address where vehicle is garaged has changed, sell or or late as incorporated city show where vehicle is now garaged. City _____ OR County (if garaged outside city) _____		Cashier's Stamp Amount Received _____ License Number _____	
Name and Address of Registered Owner					
JOHN DOE GEN DEL OAKDALE CALIF					
Registration No.	Date First Sold	VLP Type	City	County	Engine No.
7J8295	10-19-39	2	12	09	8201608
Serial No.	Previously Registered In	Body Type - Vehicle Model			
C8HB1117	ARIZ	4TS TOR 40 8			
Revenue Type	Registration Fee	License Fee	Total Fees 1946		
11	3.00	6.90	9.90		
Name and Address of Legal Owner					
SANTIS USED CARS AND GAR 1142 F ST SACRAMENTO CALIF					

Proposed
FormFrom
Registered Owner
Name and
Address CardFrom
Description
CardFrom
Legal Owner
Name and
Address Card

NOTE: Registration cards will be automatically written from the sets of punched registration cards from the license number file.

REGISTRATION CARD

Commercial

REGISTRATION CARD
COMMERCIAL
CALIFORNIA
1946

DEPARTMENT OF
MOTOR VEHICLES

DIVISION USE ONLY

Present
Form

Residence, County of _____ Code _____

NAME	John Doe	Pmt #23161	Cost
Address	1310 R St		
Registered Owner	Sacramento Calif	34-1	
Tax. No.	3396581		
Registration No.	BE BB757	Engine No.	4714643
Make & Cyls.	GMC 4	Body Type	1143 Flat Rack
Unladen Wt.	14460#	Wheel Base	196"
Date First Sold	9-21-43	Year	1942
Date Issued	9-30-46	Vehicle Model	ADF723
Serial No.	097	No. Axles	3
		No. Wheels	10
		Repl. Fee \$	4/12 26.33
		Licence Fee	131.30
			MZ CM 1.00

CLASS AM-43

Previously Registered In _____

LEGAL OWNER
Name and Address
of Record
with Date

Peoples Finance Corporation
1015 9th Street
Sacramento Calif

Total Fees 1947\$ 204.30

SEE REVERSE SIDE FOR FURTHER INSTRUCTIONS
Registered owner must sign on reverse

COMMERCIAL REGISTRATION CARD CALIFORNIA 1946 DEPARTMENT OF MOTOR VEHICLES		IMPORTANT If address where vehicle is garaged has changed out of or is no longer reported city state this card was issued, have where vehicle is now garaged. City _____ County (if garaged outside city) _____		Cashier's Stamp Amount Received _____ Licence Number _____	
Name and Address of Registered Owner JOHN DOE 1310 R ST SACRAMENTO CALIF					
Registration No. BEBB757		Date First Sold 0943		VLP Code AM03	
Serial No. 097		Previously Registered In		Engine No. 4714643	
Body Type 097		No. Axles 3		Unladen Weight 14460	
Revenue Type 41		Weight Fee 46.67		Reg. Fee 26.33	
Licence Fee 131.30		Total Fees 1948 204.30		Make & Cyls. GMC	
Name and Address of Legal Owner PEOPLES FINANCE CORP 1015 9 ST SACRAMENTO CALIF				Dept. Use Only	

Proposed
Form

From
Registered Owner
Name and Address
Card

From
Description
Card

From
Commercial
Supplement
Card

From
Legal Owner
Name and
Address Card

REGISTRATION CARD

Trailer

REGISTRATION CARD

TRAILER

CALIFORNIA

1946

DEPARTMENT OF
MOTOR VEHICLES

DIVISION USE ONLY

Present
Form

Residence, County of

Code

Rf		Rp	
Lf		Lp	
T		Re	
D			
Tl			

NAME	John Doe		
ADDRESS REGISTERED OWNER	Box 1203 Riverdale Calif		
		Code	10-2
Tab. No.	3450407	Factory No.	DR149508T
Registration No.	373087	Body Type	Box
Make	Homemade	Year	
Unladen Wt.	500#	Wheel Base	
Date First Sold	1942	Vehicle Model	
Date Issued	9-30-46	Type	P
		No. Axles	1
		No. Wheels	2

A-42
CLASS
 Regs. Fee \$ 3.00 License Fee \$.40
 CM 1.00 MZ
Previously
Registered In

N M

LEGAL OWNER
OR LEND HOLDER
OF RECORD
WITH DEPT

First National Bank of Ontario

Ontario Calif

Total Fees 1947 \$ 3.30

SEE REVERSE SIDE FOR
FURTHER INSTRUCTIONS
Registered owner must sign on reverse

TRAILER REGISTRATION CARD CALIFORNIA 1946 DEPARTMENT OF MOTOR VEHICLES		IMPORTANT If address where vehicle is garaged has changed out of or into an incorporated city since title card was issued, show where vehicle is now garaged. City _____ or County (if garaged outside city) _____		Cashier's Stamp	
Name and Address of Registered Owner JOHN DOE BOX 1203 RIVERDALE CALIF					Amount Received | License Number
Registration No. 373087		Date First Sold	VLF Code	City	County
Serial No.		Previously Registered In	Factory No. DR149508T		Make & Cyl. HOME M
Body Type Code 1		No. Axles 1	Wheelbase	Unladen Weight 500	Statistical Code 521015
Revenue Type 41	Weight Fee 0	Reg. Fee 3.00	License Fee 40	Total Fees 1946 3.40	
Name and Address of Legal Owner FIRST NATL BANK OF ONT ONTARIO CALIF					Dept. Use Only

Proposed
FormFrom
Registered Owner
Name and Address
CardFrom
Description
CardFrom
Commercial
Supplement CardFrom
Legal Owner
Name and
Address Card

REGISTRATION CARD

Motorcycle

Present
FormREGISTRATION CARD
MOTORCYCLE
CALIFORNIA
1946DEPARTMENT OF
MOTOR VEHICLES

DIVISION USE ONLY

Residence, County of

CODE

RP		RP	
LP		LP	
T		RE	
D			
TL			

Division Use Only

NAME	John Doe	
Address	1381 Blackstone	Code
Registered Owner	Fresno Calif	

Tab. No.	35268	Engine No.	10-2 FD0280B
Registration No.	40216	Body Type	M/C
Make & Cyls.	Indian 2	Year	
Date First Sold	2-17-40	Model	
Date Issued	9-30-46	Vehicle Model	
Serial No.	640280	Regis. Fee \$	3.00
Previously Registered In		License Fee \$	2.50
			MZ CM 1.00

LEGAL OWNER OR LIENHOLDER OF RECORD WITH DEPT.	Bank of America NT & SA 8th & J Streets Sacramento Calif
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Total Fees 1947 \$ 5.50

SEE REVERSE SIDE FOR
FURTHER INSTRUCTIONS
Registered owner must sign on reverse

MOTORCYCLE REGISTRATION CARD CALIFORNIA 1946 DEPARTMENT OF MOTOR VEHICLES		IMPORTANT If address where vehicle is garaged has changed and of or into an incorporated city since this card was issued, show where vehicle is now garaged: City _____ County (if garaged outside city) _____		Cashier's Stamp	
Name and Address of Registered Owner JOHN DOE 1381 BLACKSTONE FRESNO CALIF				Amount Received	License Number
Registration No.	Date First Sold	VLP Code	City	County	Engine No.
40216	243	L	11	09	FD0280B
Serial No.	Previously Registered In	Body Type - Vehicle Model		Make & Cyls.	
640280	N Y	MC		IND	
Revenue Type	Registration Fee	License Fee	Total Fees 1946		
L 40	3.00	2.50	5.50		
Name and Address of Legal Owner BANK OF AMERICA NT SA 8 AND J STS SACRAMENTO CALIF				Dept. Use Only	

Proposed
FormFrom
Registered Owner
Name and Address
CardFrom
Description
CardFrom
Legal Owner
Name and
Address Card

BACKS OF

REGISTRATION CARDS AND OWNERSHIP CERTIFICATES

IMPORTANT

Registration
Card

PLATE. Plate and Tab assigned to vehicle described on face hereof are nontransferable and expire midnight, December 31, 1946.

REGISTRATION CARD. This Registration Card shall be signed by the owner and shall be fully displayed in plain sight in the driver's compartment of the vehicle described on face hereof.

RENEWAL OF REGISTRATION. Annual renewal period is from January 1 to February 4, 1947 inclusive. Renewal must be applied for and fees paid by midnight, February 4; otherwise, penalties shall be assessed. A potential Registration Card will be mailed to you for use in renewing your registration. The potential Registration Card will indicate the amount of fees required.

TRANSFER OF OWNERSHIP. Upon the sale of the vehicle described on the face hereof this Registration Card and the Ownership Certificate properly endorsed shall be delivered to the buyer. The seller shall immediately notify the Department in writing of the sale giving the date of sale, the name and address of the buyer and the make, engine, and license number of the vehicle. The buyer, within ten days, shall apply to the Department for transfer of ownership.

REMOVAL OF LEGAL OWNER. Upon completion of payments to a bank, finance company, or other legal owner, the owner shall present the Ownership Certificate and Registration Card to the Department for removal of the legal owner's name. This must be done within ten days after receipt of the Ownership Certificate.

Change only
the information
relative to
renewal of
registration.

SIGNATURE OF REGISTERED OWNER

Endorsements for Transfer of Ownership—Read Carefully

The registered owner as shown on other side of this Certificate releases his interest by signing line 1. The legal owner releases his interest by signing line 2. If one person is both legal and registered owner, sign both lines. Purchaser, if dealer, must follow directions lines 3 and 4. Purchaser, if not dealer, must follow instructions lines 5, 6, 7 and 8 and give date of purchase. A new legal owner must sign on line 9.

TRANSFER DUE IN 10 DAYS All signatures must be in ink EACH TRANSFER \$1.00

1	Signature of REGISTERED OWNER releasing interest in vehicle	PART A Release of Ownership or Interest
2	Signature of LEGAL OWNER—As shown on other side—Releasing interest in vehicle	DATE OF RELEASE
3	Dir. No. Name of DEALER and countersignature of person signing for dealer	PART B Endorsement by Dealer or Dealers Acquiring Vehicle Through Trade or Purchase
4	Dir. No. Second DEALER and countersignature of person signing for dealer	PART C Application for Transfer of Registration to Purchaser
5	Print or typewrite name of PURCHASER	
6	Written signature of PURCHASER This must correspond with name on line 5	
7	Street Address City State	DATE OF PURCHASE
8	Is vehicle carried in an incorporated city? If yes, name city	
9	Name of NEW LIEN or MORTGAGE HOLDER (LEGAL OWNER)	PART D New Legal Owner, if Any
10	Street Address City State	

Within 10 days after legal owner releases his interest, or after any other change in ownership or interest, this Certificate together with the last issued Registration Card must be presented to Department for transfer. Penalties for delay if transfer not made 40 days after purchase date and possession of vehicle. Registration Card and Ownership Certificate. This intended transfer is incomplete and not valid until new Certificate has been issued. [REVERSE]

Ownership
Certificate

No change
from present
form.

COMMERCIAL SUPPLEMENT CARD

STATE OF CALIFORNIA - DEPARTMENT OF MOTOR VEHICLES																				
REGISTRATION			VLF CLASS		REG. OWNER		ENGINE		NUMBER		BODY CODE		NO. AXELS		WHEEL BASE		UNLADEN		WT.	
STATISTICAL CODE			WEIGHT		FEE		V L F		TOTAL FEES		OLD LICENSE		NO		TOTAL FEES		VLF		OLD LICENSE NO	
NO.			NO.		NO.		NO.		NO.		NO.		NO.		NO.		NO.		NO.	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR	
SERIAL			SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
TYPE			TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE		TYPE	
YEAR			YEAR		YEAR		YEAR		YEAR		YEAR		YEAR		YEAR</					

ENGINE NUMBER CROSS INDEX CARD

STATE OF CALIFORNIA - DEPARTMENT OF MOTOR VEHICLES									
OLD ENGINE NUMBER		NEW ENGINE NUMBER		OLD LICENSE NUMBER		NEW LICENSE NUMBER			
0	0	0	0	0	0	0	0	0	0
1	2	3	4	5	6	7	8	9	0
1	1	1	1	1	1	1	1	1	1
2	2	2	2	2	2	2	2	2	2
3	3	3	3	3	3	3	3	3	3
4	4	4	4	4	4	4	4	4	4
5	5	5	5	5	5	5	5	5	5
6	6	6	6	6	6	6	6	6	6
NEW LICENSE NO		OLD ENGINE NO		NEW ENGINE NO		OLD LICENSE NO		NEW LICENSE NO	
SERIAL		SERIAL		SERIAL		SERIAL		SERIAL	
YEAR		YEAR		YEAR		YEAR		YEAR	
TYPE		TYPE		TYPE		TYPE		TYPE	
CONTROL		CONTROL		CONTROL		CONTROL		CONTROL	

Use

Whenever an engine number is changed or an old engine is replaced by a new engine, an engine number cross index card will be keypunched and filed in the engine number file under the old

engine number. Since this card will bear the new engine number also, it will provide the necessary cross-reference from the old to the new engine number.

Card Code

Card Code 5 in Column 78.

MAILING CARD

MAILING CARD

STATE OF CALIFORNIA - DEPARTMENT OF MOTOR VEHICLES

THIS CARD WILL BE USED TO MAIL CERTIFICATE OF OWNERSHIP.

The name of the legal owner and the address to which the new certificate of ownership is to be mailed must be carefully written or printed in the spaces provided below.

NAME

STREET ADDRESS

CITY

SERIAL NO

CARD

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 00

Use

These cards are designed for use with the punched card ownership certificates to preclude the department itself having to manually address the cards or envelopes containing the cards. These cards will only be used if title and registration records are separated.

REQUEST FOR DUPLICATE REGISTRATION CARD

(For Renewal Purposes Only)

REQUEST FOR DUPLICATE REGISTRATION CARD TEMPORARY REGISTRATION CARD CALIFORNIA 1948 DEPARTMENT OF MOTOR VEHICLES		IMPORTANT If address where vehicle is garaged has changed out of or into an incorporated city since this card was issued, show where vehicle is now garaged: City _____ OR County (if garaged outside city) _____		Cashier's Stamp Amount Received | License Number	
COPY THE FOLLOWING INFORMATION FROM LAST YEAR'S REGISTRATION CARD					
License Number for Expiring Year	Date First Sold	VLF Code	City	County	Statistical Code (Trucks and Trailers Only)
PRINT NAME AND ADDRESS: _____ Name of Registered Owner _____ Street Address _____ City _____ State _____					
SPACE BELOW FOR DEPARTMENT USE ONLY					
Registration Penalty	VLF Penalties	Weight Fee	Registration Fee	Total Fees & Penalties	

These forms will be initiated in duplicate by the owner of a vehicle when he has lost or failed to receive his potential registration card. Use of the form will require the owner to copy a limited amount of information from the expiring year's registration card which should be available in his vehicle. Then, the department will compute and enter the fees on the form. The owner will pay the fees and receive his license plates or tabs. At the same time the original copy of the form shown above will be validated by the cashier and returned to the owner for use on the post of his vehicle. The department will correct its records from the duplicate copy of the above form and will then mail a complete corrected registration card to the owner. These corrected Registration Cards will be validated before they are mailed.

It is anticipated that the post office will be unable to deliver between 6 percent and 10 percent of the potential registration cards by reason of the owners' failure to notify the department of their changes of address. Thus, approximately 300,000 of the above forms will be required for this reason.

Some potential registration cards will be lost and use of the form shown above will result. The number of these cases cannot be determined in advance but should be small after the first year.



EXHIBIT II

COSTS

<i>Explanation</i>	<i>Page</i>
1. Estimated annual savings in cost of registering motor vehicles and analyzing registration fees by mechanized procedures.....	117-118
2. Cost of information for Joint Fact-Finding Committee on Highways, Streets and Bridges	122
3. Functional breakdown of salaries and wages from Department of Motor Vehicles	119
4. Information for the Joint-Legislative Budget Committee relative to costs and floor space furnished by Department of Motor Vehicles.....	120
5. Cost of cards.....	122



**ESTIMATED ANNUAL SAVINGS IN COST OF REGISTERING MOTOR
VEHICLES AND ANALYZING REGISTRATIONS AND FEES
BY MECHANIZED PROCEDURES**

<i>Explanation</i>	<i>Costs under present procedures as stated by department of motor vehicles (a through l)</i>	<i>Percent of present costs continued under mechan- ization</i>	<i>Estimated costs under mechanized procedures</i>
(a) Rating, corrections, and correspondence	\$1,504,844 00	80 ¹	\$1,203,875 00
(b) Cashiering, mail and counter-----	238,600 00	100	238,600 00
(c) Irregularities: Included in (a)			
(d) Correspondence: Included in (a)			
(e) Typing and proofreading (12 percent of \$2,288,344) -----	308,350 00	0	0 00
(f) Duplicating and cutting-----	20,850 00	0	0 00
(g) Engine number file, establishing and maintaining -----	46,300 00	0	0 00
(h) License number file, establishing and maintaining -----	113,100 00	0	0 00
(i) Alphabetical file, establishing and main- taining -----	56,300 00	0	0 00
Total registration division salaries and wages -----	\$2,288,344 00	63	\$1,442,475 00
(j) Cost of salaries and wages in Personnel Bureau, Pay Roll Bureau, and Accounting Bureau to process per- sonnel documents and pay rolls of extra employees at annual registra- tion peak -----	30,450 00	70 ²	21,315 00
(k) Cost of salaries and wages for appor- tionment reports and other analyses of registrations and fees now per- formed -----	101,715 00	0	0 00
(l) Registration cards, certificates of ownership, cross-reference cards, etc.	12,526 00	"	7,500 00 ³
(m) Personnel and machine costs-----	0 00	0	357,130 00
(n) Punched cards costs-----	0 00	0	28,578 00
Present annual cost-----	\$2,433,035 00 ³		
Estimated annual cost under mechan- ized procedures -----	1,856,998 00		\$1,856,998 00 ⁴
Estimated annual savings resulting from mechanization -----	576,037 00		
Less: Additional postage on advance estimated mailing of registration cards -----	48,000 00 ⁴		
Net annual savings after all costs----	\$528,037 00		

(Notes to this table on following page)

**ESTIMATED ANNUAL SAVINGS IN COST OF REGISTERING MOTOR
VEHICLES AND ANALYZING REGISTRATIONS AND FEES
BY MECHANIZED PROCEDURES—Continued**

¹ The arbitrary estimate of 80 percent reflects the fact that the volume of correspondence to be processed will be considerably reduced under the proposed procedures due to prompt processing at all times, thus reducing inquiries as to why transfers have not been cleared or inquiries as to where corrected registration cards are, etc. The estimate also reflects the fact that most rating (i.e., determination and entry of fees on applications, etc.) will be performed mechanically under the new procedures whereas this work is now performed manually. For example, the "rating" work-load in 1945 was approximately as follows:

New registrations -----	250,000	
Engine number changes -----	70,000	
Duplicate plates -----	37,834	
Reregistrations -----	149	
Transfers to B-E -----	5,312	
	<hr/>	
	263,295	8%
Renewals -----	3,200,000	92%
	<hr/>	
	3,463,295	100%

Under present procedures, each registration card is "rated" for fees twice. The first rating results in and appears on the registration card in the form of the total fees for the following year. Then when that registration card is presented at a window or is mailed in at renewal time, the fees are again determined and entered in the grid at the upper right hand corner of the registration card. At this time the fees are also added manually and the total is entered in the grid. Under the proposed plan this last visit to a "rating" window will be eliminated as the fees to be paid will appear on the potential registration card at the time it is released. Thus, slightly less than half the window contacts at renewal time will be eliminated.

The cost of rating renewals is included in the estimated cost of personnel and machines under the mechanized processing as indicated in item "m" of this statement. However, it is recognized that the 8 percent of the cases requiring manual rating involve relatively more examination time per case than is required for the 92 percent which will no longer be rated manually.

² The arbitrary estimate of 70 percent reflects the fact that there will be 220 or 19 percent fewer temporary employees required at renewal time by the Registration Division, plus the fact that the entire cost of apportionment and accounting analyses of registrations is reflected in the costs of machines and personnel per item "m" of this statement, plus the fact that both of the above reductions will result in a lessened pay roll load and thus will decrease costs in the pay roll bureau. As an example, the Accounting Bureau personnel now fluctuates from a low of around 23 to a peak of 45 workers during the renewal period. Under the proposed plan 70 percent of the work of Accounting Bureau will be performed on the electrical accounting machines.

³ Plus cost of ditto equipment, typewriters, and adding machines with cost of maintenance thereof. Approximately 100 typewriters are now being replaced annually at a cost of about \$110 each or a total annual cost of from \$10,000 to \$11,000. There are about 600 typewriters used at one time in the Department of Motor Vehicles. About 250 adding machines are rented for the four- or five-month renewal peak in the Registration Division and 15 or 20 for the Accounting Bureau for use on apportionments and revenue analyses.

⁴ Under the present system all registration cards are mailed whether the transactions were received over the counter or through the mail. Such mailing costs match the mailing cost of advance mailing of potential registration cards under the proposed plan. However, under the new plan the return of mail registrations will add postage costs as will those cases where an owner does not have his potential registration card at the time he applies for renewal and will therefore be mailed a validated corrected registration card when the renewal is reflected in the records of the department.

The exact number of mail registrations throughout the State is unknown but it is generally agreed that less than half of all registrations are in that category. Therefore, the cost of first class postage on one-half of 3,200,000 registrations (\$0.03 X 1,600,000) which is \$48,000 must be deducted from the savings figures as the cost of additional postage incurred by advance mailing of potential registration cards. All other costs of this advance mailing are included in the costs of the mechanized procedures as shown.

⁵ *Estimated Cost Under Proposed Plan*—\$1,856,998 = 76 percent
Present Annual Cost----- \$2,433,035

Thus, the estimated costs under the proposed plan are only 76 percent of the annual costs under present procedures. This is an annual saving of 24 percent or \$576,037.

⁶ Full cost of registration cards and certificates of ownership presently incurred. See cost of supplies shown on Schedule 3 of Information for the Joint Legislative Budget Committee.

DEPARTMENT OF MOTOR VEHICLES

October 16, 1946.

*Mr. Perry L. Stauffer, Principal Research Assistant
Legislative Budget Commission,
State Capitol, Sacramento, California*

DEAR MR. STAUFFER: This is in response to your inquiry of September 30, 1946, relating to a functional breakdown of salaries and wages for the Division of Registration for the fiscal year ended June 30, 1946.

While it is not possible under our present accounting system to obtain the actual cost of each function performed, due principally to the inevitable overlap of activities, we are, however, of the opinion that the information contained herein is substantially accurate.

An adjustment in the total salaries and wages paid for the fiscal year ended June 30, 1946 has been necessary. The \$1,504,117.98 total has been increased to \$2,282,344.00—\$630,518.00 paid for temporary help, \$153,709.00 contributed for retirement.

The breakdown, in the order as set forth in your communication, is as follows:

* (a) Rating, corrections, correspondence.....	\$1,504,844.00 *
(b) Cashiering (mail and counter).....	238,600.00 *
(c) Irregularities. See (a).....	
(d) Correspondence. See (a).....	
(e) Typing and proofreading registration cards.....	308,350.00
(f) Duplicating and cutting.....	20,850.00
(g) Engine file—setting up and maintenance.....	46,300.00
(h) License number file—setting up and maintenance.....	113,100.00
(i) Alphabetical file—setting up and maintenance.....	56,300.00

Total salaries and wages..... \$2,288,344.00

In the event you desire detailed information on any one of the above items, please let us know.

Very truly yours,

EDGAR E. LAMPTON
Director

* Combined these are 76.1 percent of total salaries and wages. P. Stauffer.

* Includes: salaries for general administration; rating renewal and new applications for registrations, transfers, engine changes, duplicates; recording and releasing of chattel mortgages; handling of complaints, information inquiries, correspondence, and other direct services to the public. Employees are located in California Highway Patrol, receiving, certificate-issuing and Sacramento offices.

INFORMATION FOR THE JOINT LEGISLATIVE BUDGET COMMITTEE

DEPARTMENT OF MOTOR VEHICLES

DIVISION OF REGISTRATION

Schedule No. 1

1. Office Space	Explanation	Area square feet
a.	All registration activities in the Headquarters Office (See attached list for space allocated to regular established Bureaus of the Division of Registration.)	46,149
b.	Registration file and filing operations in	
(1)	Headquarters Building	
(a)	Current year files	9,018
(b)	Prior year files	4,274
(2)	Warehouse—prior year registration record files, correspondence records, and miscellaneous records	2,331
(3)	Supply Room—materials—equipment and supplies—registration	5,109
c.	Cashiering operations at headquarters (exclusive of counter operation)	1,704
d.	Processing irregular cases through special bureaus	None — all regular or irregular cases cleared through regularly established bureaus.
e.	Rating of applications and renewals for vehicle license fees (estimated)	None — applications and renewals cleared through regularly established bureaus.

Established Bureaus—Division of Registration
Department of Motor Vehicles

Name of Bureau	Area square feet
Registrar's Office	1,648
Sacramento Office—Supervisor	184
Sacramento Office—Consultation room	178
Sacramento Office—Information and waiting room	230
Bureau No. 4—Cashier, including public counter	2,871
Bureau No. 6—Corrections	465
Bureau No. 7—Adjustments, refunds, nonreceipts, unclaimed, and canceled plates	2,783
Bureau No. 8—Transfers	4,046
Bureau No. 9—Nonresidents	760
Bureau No. 10—Duplicates	1,029
Bureau No. 11—Dealers	1,990
Bureau No. 14—Histories, information and photostatic records	1,005
Bureau No. 15—Public counter	1,120
Bureau Nos. 16 and 18—Incoming mail, new car registrations, renewals, and chattel mortgages	4,319
Bureau No. 21—Correspondence	3,070
Bureau Nos. 22 and 23—Alphabetical and numerical, license number files	6,859
Bureau No. 25—Exempt and B.E. registrations	476
Bureau No. 27—Form letter files	799
Bureau No. 28—Proofreaders	1,682
Bureau No. 29—Typist and ditto	3,828
Bureau No. 33—Numerical, engine number files	2,159
Special—Board of Equalization—B.E.	414
Files—Prior year—Headquarters basement	4,274
Total	46,149

**INFORMATION FOR THE JOINT LEGISLATIVE BUDGET
COMMITTEE—Continued**

Schedule No. 2

1. Salaries and Wages

a. Total salaries and wages for the Registration Division during the fiscal year ended June 30, 1946.....	\$1,501,117.98
b. Salaries and wages of temporary employees who were required by the Registration Division for processing renewals and clearing up the transfers and corrections accumulated during the renewal peak. Processing renewals is meant to include filing operation..	630,518.64
c. Salaries and wages for extra personnel in the Personnel Bureau and other bureaus such as Accounting Bureau to process personnel documents, pay checks, etc., of the temporary workers employed during the annual peak.....	30,450.19
*d. Salaries and wages for the development of apportionment reports and other analyses of fees and registrations.....	101,715.00

* 70 percent of \$145,308, Bureau of Accounting cost.

Schedule No. 3

1. Supplies

	<i>Cost</i>	<i>Average cost per thousand</i>
*a. Registration cards, ownership certificates and notices	\$7,521.40	\$5.559
†b. Registered owner cross-reference cards used in alphabetical file	2,768.77	3.817
‡c. Engine number cross-reference cards used in engine file	2,236.54	3.923

* Includes registration cards, ownership certificates and legal owners notices.

† Alphabetical record sheets only.

‡ Engine record sheets only.

COST OF INFORMATION FOR JOINT FACT-FINDING COMMITTEE ON HIGHWAYS, STREETS, AND BRIDGES

Analysis of Registrations by Type of Vehicle, City and County

The total annual cost of obtaining apportionment analyses by type of vehicle, city, and county will be approximately \$2,976. There will be some additional cost incurred at counters inducing registrant to provide the required information as to where vehicle is garaged. The complete mechanization of registration activities makes it possible to secure the above analyses as a by-product. The above costs therefore cover only those operations in addition to mechanical registration.

The cost of adding city codes on Motor Vehicle Registration Cards as required by the Joint Fact-Finding Committee on Highways, Streets and Bridges in lieu of the present use of a county code only, will be approximately as follows:

<i>Explanation</i>	<i>Costs</i>	
	<i>Personnel</i>	<i>Machine</i>
Key punching two additional columns in 3,200,000 cards-----	\$690	\$115
Sorting on two additional columns-----	162	72
	<u>\$852</u>	<u>\$187</u>
	187	

Total machine and personnel costs for additional processing \$1,039

Summary of Costs Under Various Proposals

<i>Explanation</i>	<i>Approximate cost</i>
Analysis by type of vehicle, city and county-----	\$2,976
Analysis by type of vehicle and county-----	1,937
	<u>1,039</u>
Additional analysis by city-----	\$1,039

Maximum Gross Weight

The substitution of maximum gross weight for unladen weight will add no additional burden to the process costs as it will substitute one set of operations for another set which are practically identical.

Processing Time

Apportionment reports for every month can be sent to the State Controller by the fifteenth day of each succeeding month. Under present procedures the reports for February, 1946, were sent to the State Controller on May 29, 1946.

Cost of Cards

Annual Cost of Cards for Mechanized Registrations

	<i>Volume of cards</i>	<i>Unit price per thousand</i>	<i>Cost annually</i>
Engine number file—plain manila -----	5,090,585	\$0.83	\$4,244.70
All other cards with different stripes for each use -----	28,992,099	.84	24,353.28
Total -----	34,082,684		<u>\$28,577.98</u>

NOTE: Upon receipt of additional data from Department of Motor Vehicles, card volumes were revealed to be 33,517,725 instead of 34,082,684. See last page of Exhibit V for information relative to card volumes.

EXHIBIT III

PERSONNEL

ANALYSIS OF REDUCTION IN NUMBER OF WORKERS UNDER
MECHANIZED REGISTRATION PROCEDURES
DURING A PEAK MONTH

	Present Method		
	<i>Permanent workers</i>	<i>Temporary workers</i>	<i>Total workers</i>
1. Workers in operations not to be mechanized.....	527	683	1,210
2. Workers in operations to be mechanized.....	443	484	927
3. Total workers required under present manual methods	970 ¹	1,167 ²	2,137
Proposed Method			
4. Number of workers required in operations not to be mechanized such as cashiering (same as 1 above)	527 ¹	683	1,210
5. Number of workers required in mechanized opera- tions	73	264	337
6. Total workers required for peak month after adop- tion of mechanization	600	947	1,547
7. Approximate reduction in number of workers as a result of mechanization	370	220	590

¹ Permanent workers on September, 1946, pay roll per Bruce Greenwade, Personnel Officer, Department of Motor Vehicles, were as follows:

<i>Division or Bureau</i>	<i>No. of workers</i>	<i>Approximate percent mechanized</i>	<i>Average workers in operations to be mechanized</i>	<i>Average No. workers in operations not to be mechanized</i>
Registration	786	0.40	314	472
Administration	184	0.70	129	55
Total	970		443	527

² See analysis of extra workers required at renewal time under present operations as shown on the following page.

ANALYSIS OF EXTRA WORKERS REQUIRED AT RENEWAL TIME UNDER PRESENT OPERATIONS

SOURCE: Computed from total hours compensated at an hourly rate during the six months ended June 30, 1946, as provided by Wm. Moore, Financial Adviser of the Department of Motor Vehicles from the records of actual expenditures.

Divisions or Bureau	Total hours worked	Average working hours per month	No. of workers if all work had been performed in one month	Months to process peak load ^a	Average No. workers per month	Percent mechanized ^b	Average No. of workers in operations to be mechanized	Average No. of workers in operations not to be mechanized
Registration	729,039	167	4365.5	4	1091.4	.40	437	654
Accounting	38,922	167	233.0	4	58.2	.70	41	17
Personnel	7,717	167	46.2	4	11.6	.30	4	8
Service and supply	3,551	167	21.3	4	5.3	.40	2	3
Total			4666.0		1166.5		484	682

^a Treatment suggested by William Moore.

^b Based on percentage costs to be mechanized. These percentages are explained in length in statement of Estimated Annual Savings in Cost of Registering Motor Vehicles and Analyzing Registrations and Fees by Mechanized Procedures.

EXHIBIT IV
INFORMATION RELATIVE TO CONVERSION FROM
PRESENT TO PROPOSED PLAN

1. During the eight months required to complete the conversion from the present method to the proposed method for processing registrations approximately 165 workers will be needed in Sacramento. The total cost of conversion to punched card methods will approximate \$245,111. This is equal to about half the annual savings anticipated from the change. Of this amount \$62,816 will be required in this current fiscal year ending June 30, 1947, in addition to the amount required to operate the present plan. In the first half of the next fiscal year (99th) covering the period July 1, 1947, through June 30, 1948, the conversion will cost approximately \$182,295. In the last half of the Ninety-ninth Fiscal Year the registration operations will be performed on a mechanized basis. Thus, some savings should be realized in comparison with past costs when the 1948 renewals are processed. Any such saving would be an offset against the extra costs incurred in conversion during the first half of the year.

The new system should produce an annual saving in excess of \$500,000. If only half this amount is saved during the first year under the new system the savings would cover the conversion costs experienced in the Ninety-ninth Fiscal Year. Unfortunately, it is impossible to foresee the extent of difficulty which will be experienced during 1948 when renewals are handled on a mechanized basis for the first time.

With all the foregoing in mind, it is recommended that when the Legislature meets in 1947, the Registration Division be provided an appropriation for support in the amount of \$62,816 or such greater or lesser amount as it is then expected will be required for conversion costs during May and June, 1947.

It is further recommended that no amounts be appropriated during the 1947 Session to cover conversion costs in the 1947-1948 Fiscal Year. However, if experience proves that part or all of the conversion costs are not offset by savings resulting from the mechanization, the additional amount actually needed can be appropriated during the 1948 Legislative Session.

Another alternative would be for the Legislature to vote some reasonable sum for additional support of registration activities to be spent only upon justification of the need therefor.

2. In the explanation of administrative actions required to execute this plan, it was indicated that a separate Bureau of Tabulating Services should be created.

3. In the conversion of personnel typists can be trained as keypunch operators and clerks can be trained as machine operators. A part of the file clerks will be required under the modernized plan. Cutbacks in personnel can be accomplished by failure to fill positions vacated, rather than by lay off as more people will be needed in the early months of conversion than will be required after the operations have settled down. Surplus workers can undoubtedly be transferred to other state agencies where they are badly needed.

4. The following comments are not meant to be restrictive but rather are offered to help crystallize thinking with respect to the process of converting from the present registration and accounting procedures to the proposed plan.

Assuming that the processing of the renewals for 1947 are sufficiently advanced by May 1st, initial operations could begin on that date. The major part of the original work required in establishing the registrations on punched card records could be completed by approximately November 30th. There would be a small volume of punching continued through December 10th. This would keep the operators busy until notices of corrections flowed back as a result of the advance mailing of potential registration cards run from the sets of punched registration cards. The advance listing of the registration cards could begin early in November in order that one-half of the total load can be listed by November 30th. Then, during the first three weeks of December the listing of the other half of the total load can be completed.

The sections of the file chosen for the earliest listing of potential registration cards should be those which contain registration cards in the southern end of the State or outlying regions to whom the delay of mail from Sacramento will require the longest time. The first task in converting to the new system will be the coding of registration cards contained in the license number file for the year 1947. The coding will primarily provide information required in the punched card for mechanical analysis for apportionment and accounting purposes.

The codes used will be a two-digit code relative to type of license and applicable to all registrations and an eight-digit statistical code applicable only to commercial and trailer registrations which comprise about 10 percent of the annual registration load. These codes are explained in Exhibit VI. The length of names, addresses and descriptions will also have to be examined and, where necessary briefed to conform with the space allowed on the punched cards.

Upon completion of the coding, mechanization can begin with the keypunching of sets of punched registration cards. The estimated cost and the personnel required for the conversion are shown in the following schedules.

The conversion can begin with any section of the license number file but it might be desirable to start with the motorcycle section, then proceed to the commercial section, then to the trailer section and lastly begin to process the automobile section of the file. Since the processing of the motorcycle, commercial, and trailer sections of the file can all be accomplished during May and June, the processing of approximately one-fifth of the automobile section of the file will be completed during each month thereafter through November, 1947. When the punching of the motorcycle section of the license number file has been completed, cards for the alphabetical and engine number files will be prepared and sorted by mechanical methods. Thus, there will be established the license number file, alphabetical file and engine number files for that section. As the work progresses, and each additional section in the file is converted, the cards for that section will be interfiled with the previously established alphabetical, license number and engine number punched card files.

References to the registration files during the period after conversion begins could be handled as follows:

License Number File References

All references to license number file for information within those sections which have been established on punched cards would be to the punched card file. All other references would be made to the old license number file.

Alphabetical File References

During conversion, references to the registration files by name would be made first to the old alphabetical file and then to the new punched card alphabetical file during May through August. During the period September through December the references would be made first to the punched card alphabetical file and, finding nothing there, reference would then be made to the old file. The foregoing would result in the greatest number of references being satisfied at the time of the first reference without an additional reference to the second file being necessary in most cases. For example, during the last period of the conversion period more than half of the registration records will have been established on punched cards and thus in the majority of cases an initial reference to the punched card records will provide the information required without further reference.

Engine Number File

The references to the engine number file will be made in the same manner as outlined for references to the alphabetical file.

Title File

References for the purpose of tracing title will, in some instances, be satisfied by an initial reference to the separate title file but for several years after the conversion, it will be necessary to refer to the new title file and to the prior year license number files to establish title to a vehicle. Eventually, however, the reference to the title file will produce a complete record of all ownership changes and corrections in respect to the registration of a vehicle.

MECHANICAL REGISTRATION OF MOTOR VEHICLES

Estimated Conversion Costs

	<i>Machines</i>	<i>Cards</i>	<i>Personnel</i>	<i>Totals</i>
1946-1947 Fiscal Year...	\$5,550 00	\$2,791 00	\$54,475 00	\$62,816 00
1947-1948 Fiscal Year...	23,277 50	14,958 00	144,060 00	182,295 50
	\$28,827 50	\$17,749 00	\$198,535 00	\$245,111 50

Estimated Conversion Costs—May and June, 1947

<i>Month</i>	<i>Machines</i>	<i>Cards</i>	<i>Personnel</i>	<i>Totals</i>
May -----	\$2,080 00	\$1,036 00	\$26,235 00	\$30,351 00
June -----	3,470 00	1,755 00	27,240 00	32,465 00
Totals -----	\$5,550 00	\$2,791 00	\$53,475 00	\$62,816 00

MECHANICAL REGISTRATION OF MOTOR VEHICLES—Continued

Estimated Conversion Costs—July Through December, 1947

Month	Machines	Cards	Personnel	Totals
July -----	\$3,775 00	\$2,277 00	\$26,325 00	\$32,377 00
August -----	3,855 00	2,489 00	24,810 00	31,154 00
September -----	4,577 50	3,225 00	26,785 00	34,587 50
October -----	4,577 50	3,225 00	26,785 00	34,587 50
November -----	4,577 50	3,225 00	26,785 00	34,587 50
December -----	1,915 00	517 00	12,570 00	15,002 00
	\$23,277 50	\$14,958 00	\$144,060 00	\$182,295 50

Conversion—Personnel Required

Period 1947	Code clerks	Key punch operators	Verifier operators	Machine operators	Total
May -----	80	40	32	8	160
June -----	70	48	40	10	168
July -----	60	48	40	13	161
August -----	50	48	40	16	154
September -----	50	48	40	27	165
October -----	50	48	40	27	165
November -----	50	48	40	27	165
December -----	10	24	20	16	70

PUNCHING WORK LOAD TO ESTABLISH AND MAINTAIN
REGISTRATION FILES

First Year

Start operations May 1st. Complete all original punching December 10th.
Seven and one-third months to complete job.

Volume:

Renewals -----	3,000,000 × 2.5 cards
New -----	250,000 × 2.5 cards
Changes -----	900,000 × 2.5 cards
Changes -----	600,000 × 1.0 card

Work load	No. of months	Av. No. cards	Total No. of cards
3,000,000 ÷ 7 months =	430,000 × 2.5 =	1,075,000	
1,150,000 ÷ 12 months =	96,000 × 2.5 =	230,000	
600,000 ÷ 12 months =	50,000 × 1.0 =	50,000	

Total Monthly Average ----- 1,355,000
7

Seven Months Work Load ---- 9,485,000

Month	Cards	Hrs.	Total shifts	No. Total days	No. Total days	No. opera-tors	Total punched
May -----	100 × 7 =	700 × 2 =	1,400 × 20 =	28,000 × 20 =			560,000
June -----	140 × 7 =	980 × 2 =	1,960 × 20 =	39,200 × 24 =			950,800
July -----	180 × 7 =	1,260 × 2 =	2,520 × 20 =	50,400 × 24 =			1,209,600
August -----	200 × 7 =	1,400 × 2 =	2,800 × 20 =	56,000 × 24 =			1,344,000
September -----	250 × 7 =	1,750 × 2 =	3,500 × 20 =	70,000 × 24 =			1,680,000
October -----	250 × 7 =	1,750 × 2 =	3,500 × 20 =	70,000 × 24 =			1,680,000
November -----	250 × 7 =	1,750 × 2 =	3,500 × 20 =	70,000 × 24 =			1,680,000

		<i>Beginning of month, total load</i>	<i>No. of cards punched</i>	<i>At end of month, total load</i>	<i>No. of key punch operators</i>		<i>No. days</i>
					<i>1 shift</i>	<i>2 shifts</i>	
1	May -----	9,485,000	560,000	8,925,000	20 ¹	40	20
2	June -----	8,925,000	950,800	7,874,200	24	48	20
3	July -----	7,874,200	1,209,600	6,664,600	24	48	20
4	August -----	6,664,600	1,344,000	5,320,600	24	48	20
5	September -----	5,320,600	1,680,000	3,640,600	24	48	20
6	October -----	3,640,600	1,680,000	1,960,600	24	48	20
7	November -----	1,960,600	1,680,000	280,000	24	48	20
8	December -----	280,000	280,000		12	24	8

¹ The number of verifying operators required will be slightly less than the number of keypunch operators each month.

EXHIBIT V

STATISTICAL DATA USED IN DEVELOPING THE PROPOSED PLAN FOR MECHANICAL REGISTRATION OF MOTOR VEHICLES

ANNUAL REGISTRATIONS

<i>Explanation</i>	<i>Percent</i>	<i>New registrations</i>	<i>Renewals</i>	<i>Total</i>
Automobile -----	83.5	208,750	2,505,000	2,713,750
Commercial -----	8.0	20,000	240,000	260,000
Motorcycle -----	.9	2,250	27,000	29,250
Trailers -----	7.6	19,000	228,000	247,000
Totals -----	100.0	250,000	3,000,000	3,250,000

ANNUAL CORRECTIONS AND MISCELLANEOUS WORK

<i>Explanation</i>	<i>Volume</i>
Transfers -----	1,210,000
Address changes -----	250,000
Name changes -----	100,000
Engine number changes -----	70,000
Total changes <i>not</i> involving change of license number -----	1,630,000
Duplicate plates -----	47,834
Reregistrations -----	149
Transfers to B-E -----	5,312
Total changes involving a change of license number -----	43,295
Total changes (approximate) -----	1,673,295
Duplicate registration cards and certificates of ownership -----	206,964
Chattel mortgages	
July-December, 1945 -----	98,397
January-June, 1946 -----	115,159
Total -----	213,556

ANNUAL VOLUMES OF CARDS IN FILES

(Assuming that the Engine No. File and Alphabetical Files will not be purged as corrections occur. This conforms with present practice)

1. License Number File

<i>Cards</i>	<i>Volume</i>	<i>Comment</i>
Registered owner cards -----	3,250,000	Total registrations
Description cards -----	3,250,000	Total registrations
Commercial supplement cards -----	300,000	Based on 1945. Actual was about 272,645
Legal owner cards -----	812,500	25 percent of total volume based on test check
Trailer cards for long names and addresses -----	406,250	10 percent of registered and legal owner cards and this percentage can be reduced by judicious abbreviations
Total -----	8,018,750	

2. Engine Number File

<i>Cards</i>	<i>Volume</i>	<i>Comment</i>
Description cards -----	3,250,000	Total registrations
Description cards -----	1,673,295	Annual corrections
Engine number cross index -----	70,000	Reference under old engine number showing both old and new engine number
Total -----	4,993,295	

3. Alphabetical File

<i>Cards</i>	<i>Volume</i>	<i>Comment</i>
Registered owner, name and address ----	3,250,000	Total registrations
Registered owner, name and address cards from annual corrections -----	1,673,295	Annual corrections
Total -----	4,923,295	

4. Cross-reference File

Account cards -----	3,250,000	Total registrations
Account cards -----	1,673,295	Annual corrections
Total -----	<u>4,923,295</u>	
Grand total of cards in all files ----	22,858,635	

ANNUAL PUNCHED CARD VOLUMES

In files in Sacramento -----	22,858,635
Los Angeles cross-reference file -----	4,923,295
Reproduced legal owner, name and address cards used in preparation of the alphabetical and engine file cards and then destroyed -----	812,500
Account cards for accounting and statistical analyses -----	<u>4,923,295</u>
Total annual volume -----	33,517,725

EXHIBIT VI

CODES USED IN PROPOSED PLAN FOR MECHANICAL
REGISTRATION OF MOTOR VEHICLES

1. Type of License

A. Kind of Vehicle

Code	Explanation
------	-------------

- | | |
|---|-------------------|
| 0 | Blank |
| 1 | Automobile |
| 2 | Motorcycle |
| 3 | Truck |
| 4 | Trailer |
| 5 | Dealer-Automobile |
| 6 | Dealer-Wrecker |
| 7 | Dealer-Motorcycle |

Code	Explanation
------	-------------

- | | |
|---|---|
| 8 | Dealer-Trailer |
| 9 | Miscellaneous:
Permits for highway equip-
ment not counted as registra-
tion.
Agricultural equipment
counted as registration if li-
censed. |

B. Kind of License

Code	Explanation
------	-------------

- | | |
|---|---------|
| 0 | Blank |
| 1 | Regular |
| 2 | B-E |
| 3 | City |
| 4 | County |

Code	Explanation
------	-------------

- | | |
|---|------------------|
| 5 | District |
| 6 | State |
| 7 | United States |
| 8 | Public Service |
| 9 | Consular Service |

2. Card Code

A. Kind of Card

Code	Explanation
------	-------------

- | | |
|---|---|
| 0 | Summary Card |
| 1 | Name and address of registered
owner |
| 2 | Description Card |
| 3 | Commercial Supplement Card |
| 4 | Name and address of Legal
Owner |

Code	Explanation
------	-------------

- | | |
|---|------------------------------------|
| 5 | Engine Number Cross Index
Cards |
| 6 | Blank |
| 7 | Blank |
| 8 | Account Card |
| 9 | Miscellaneous Transactions
Card |

B. Trailer Card Number

Trailer Cards for each kind of punched card will be numbered in numerical sequence; e.g., the first card bearing name and address of registered owner would bear card code "10," while the first trailer card on the name of registered owner would bear card code "11," the second trailer card would bear card code "12," etc.

3. Statistical Code

A. Type of Vehicle

(1) Automobile

Resident

Code	Explanation
11	Automobile: new, resident
12	Automobile: old, resident

Nonresident

Code	Explanation
13	Automobile: new, nonresident
14	Automobile: old, nonresident

(2) Motorcycle

21	Motorcycle: new, resident
22	Motorcycle: old, resident

23	Motorcycle: new, nonresident
24	Motorcycle: old, nonresident

(3) Truck

31	Truck :
	new, resident
32	Truck :
	old, resident
33	Tractor :
	new, resident
34	Tractor :
	old, resident
35	Bus :
	new, resident
36	Bus :
	old, resident
37	Passenger (taxi) :
	new, resident
38	Passenger (taxi) :
	old, resident

41	Truck :
	new, nonresident
42	Truck :
	old, nonresident
43	Tractor :
	new, nonresident
44	Tractor :
	old, nonresident
45	Bus :
	new, nonresident
46	Bus :
	old, nonresident
47	Passenger (taxi) :
	new, nonresident
48	Passenger (taxi) :
	old, nonresident

(4) Trailer

51	Trailer :
	new, resident
52	Trailer :
	old, resident
53	Semi-trailer :
	new, resident
54	Semi-trailer :
	old, resident
55	House trailer :
	new, resident
56	House trailer :
	old, resident

61	Trailer :
	new, nonresident
62	Trailer :
	old, nonresident
63	Semi-trailer :
	new, nonresident
64	Semi-trailer :
	old, nonresident
65	House trailer :
	new, nonresident
66	House trailer :
	old, nonresident

B. Type of Body (Trucks and trailers only, including taxis)

Code	Explanation	Code	Explanation
0	*	4	D
1	A	5	E
2	B	6	Chassis
3	C	7	Unclassified

C. Motive Power

Code	Explanation	Code	Explanation
0	Blank	2	Diesel
1	Gasoline	3	Electric

D. Axles

Code	Explanation	Code	Explanation
0	Blank	4	4 Axles
1	1 Axle	5	5 Axles
2	2 Axles	6	6 Axles
3	3 Axles		

E. Weight

Punch actual weight except the units and tens digits; e.g., 3,450 lbs. would be punched as 34. 11,450 would be punched as 114.

If a vehicle weighs 3,000 lbs. but less than 3,400 lbs. and is exempt from weight fees because used primarily on premises of owner, signify by "x" punch in column 40.

4. Miscellaneous Receipts and Transactions Code

Code	Explanation	Code	Explanation
10	Renewal transfer	19	Service fee, nonresident registration
11	Regular transfer	20	Plate mailing fee
12	Duplicate certificate	21	Wreckers, service fee
13	Duplicate registration card	22	Wreckers, investigation fee
14	Duplicate plate	23	Dealers, service fee
15	Reregistration	24	Sale and seizure
16	Reinstatement	25	Weight fee transfer
17	Engine change	26	Special equipment permits and other miscellaneous items.
18	Transfer to B-E plate		

5. Body Classifications of Trucks and Trailers

In the following table various types of bodies are given showing the body group under which they should be classified.

Body types	Body rate group
Advertising	B
Ambulance	*
Auto patrol	B
Auto transport	B
Bakery	B
Bean cleaner	Rate as chassis only
Bean thresher	Rate as chassis only
Beer rack	B
Beet rack	
Without hoist	A
With hoist	B
Beverage rack	B
Boat	A
Bottle body rack	B
Box	A
Box rack	A
Bunk house—Not trailer coach	B
Bus	Put in separate class
CC (closed cab)	
Do not list as a body, as the cab is considered part of the chassis.	
Cab (taxi)	Put in separate class
Cage	A
Candy wagon	B
Canopy—(canvas top)	A
Car carrier	B
Car transport	B
Cargo	
Closed or panel	B
Open flat bed	A
Carryall—See station wagon	
Cattle rack—See stock rack	
Chassis	Rate as chassis only
Closed box	A
Coach—(house trailer)	A
Compressor	Rate as chassis only
Commercial sedan	Passenger
Concrete mixer	Rate as chassis only
Cook house	A
Cotton rack	A
Coupe pickup	A
Covered box	B
Crane	Rate as chassis
Delco	A

5. Body Classifications of Trucks and Trailers—Continued

<i>Body types</i>	<i>Body rate group</i>
Delivery-sedan	
Open.....	A
Panel.....	B
Derrick.....	Rate as chassis
Display coach	
Not trailer coach.....	B
Trailer coach.....	Rate as trailer coach
Ditch Digger.....	Rate as chassis
Dollys.....	A
Double deck bus—See bus	
Dray.....	A
Drill.....	Rate as chassis
Dump.....	E
Duster.....	Rate as chassis
Earth boring.....	Rate as chassis
Enclosed.....	B
Escalator (ice, sacked grain, etc.).....	Rate as chassis
Express.....	A
Fertilizer—Rate same as gravel	
Fire.....	*
Flat bed.....	A
Flat rack.....	A
Frame car carrier.....	B
Freight.....	A
Fruit peddler.....	B
Fumigating rig.....	Rate as chassis
Funeral.....	*
Furniture	
Open or closed top van.....	B
Retail delivery (Solid low side).....	A
Full.....	B
Garbage.....	E
Generator.....	Rate as chassis
Glass rack.....	B
Grain—for loose or bulk grain.....	B
Grain cleaner.....	Rate as chassis
Grape—For hauling bulk grapes.....	B
Gravel	
Metal body.....	E
Wooden body, no hoist.....	A
Wooden body, with hoist.....	B
Hearse.....	*
Hoist—Not tow car.....	Rate as chassis
Horse	
Enclosed.....	B
Open rack.....	A
House car—Not trailer.....	B
Ice.....	B
Ice cream	
Vendor.....	B
Insulated delivery.....	C
Insulated van.....	C
Iron bed.....	B
Laundry.....	B
Light installation.....	B
Limousine—See passenger car	
Line installation.....	B
Line tower.....	A
Log bunk.....	Rate as chassis
Log trailer.....	A
Low bed.....	A
Luggage.....	A
Lumber carrier (Ross, Gerlinger, etc.).....	Rate as chassis
Lumber rollers.....	A

5. Body Classifications of Trucks and Trailers—Continued

<i>Body types</i>	<i>Body rate group</i>
Lunch wagon.....	B
Manure—Rate same as gravel	
Meat	
Delivery, closed or panel.....	B
Delivery, open.....	A
Milk	
Not tank body.....	B
Tank body.....	D
Mixer.....	Rate as chassis
Monoman—Utility installation.....	B
Oil tank.....	D
Open box or body.....	A
Open delivery.....	A
Package.....	B
Panel.....	B
Parlor car—Stage—See bus	
Peddler rack.....	B
Pickup.....	A
Pie delivery.....	B
Platform.....	A
Pole Hoist—Not tow car.....	Rate as chassis
Popcorn, peanuts.....	B
Portable drill.....	Rate as chassis
Pump cementer— (for oil well drilling).....	Rate as chassis
Rack, plain.....	A
Radio-insulated.....	C
Reefer	
Do not write this on certificate as body type	
Classify only according to the following:	
If refrigerated body.....	C
If open top van.....	B
Refrigerator.....	C
Roller.....	C
School bus—See bus	
Screen.....	A
Screen delivery.....	A
Screen panel.....	A
Screenside.....	A
Sedan delivery.....	B
Sedan commercial.....	Passenger
Sheep—See stock rack	
Solid sides.....	A
Sound—Insulated.....	C
Special compartment.....	B
Special deck.....	B
Special utility installation.....	B
Speed wagon	
Panel.....	B
Open.....	A
Spray rack.....	Rate as chassis
Stake.....	A
Station wagon.....	B
Stock rack.....	A
Double deck or platform.....	B
Single deck or platform.....	A
Suburban carryall—See station wagon	
Swill.....	E
Syphon rack.....	B
Tank.....	D
Taxi—See cab	
Tire rack.....	B
Tool box.....	B
Tow car.....	A
Tractor (semi)—Tractor truck.....	Put in separate class

5. Body Classifications of Trucks and Trailers—Continued

<i>Body types</i>	<i>Body rate group</i>
Truck-a-way.....	B
Utility.....	B
Van.....	B
Vegetable.....	B
Water.....	D
Welding.....	Rate as chassis
Well boring.....	Rate as chassis
Well rack.....	Rate as chassis
Wine tank.....	D
Wire panel.....	A
Wood rack.....	A
Wrecker.....	A

NOTE : That these four are to be put in separate classifications and held out :

Buses
 Passenger cars, including limousines and sedans
 Taxis
 Tractors

APPENDIX II

A REPORT ON THE CALIFORNIA HIGHWAY PATROL

Submitted to the Senate Committee on Governmental Reorganization
By Franklin M. Kreml

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE
(INCORPORATED)

TRAFFIC DIVISION, 1704 Judson Ave., Evanston, Ill.

October 16, 1946

*The Honorable Jerrold L. Seawell, Chairman, and Members Senate
Interim Committee on Governmental Reorganization, California
Legislature, Sacramento, California*

DEAR SENATOR SEAWELL: We are submitting herewith a report on the California Highway Patrol as requested by you in your letter of April 16, 1946.

We gratefully acknowledge the cooperation given by you and the members of your committee. We received wholehearted cooperation from all state agencies from which we requested information. The Director of Motor Vehicles and the Chief of the California Highway Patrol were especially helpful.

The Honorable Phil S. Gibson, Chief Justice of the California Supreme Court, offered excellent guidance and advice regarding the subject of judicial administration.

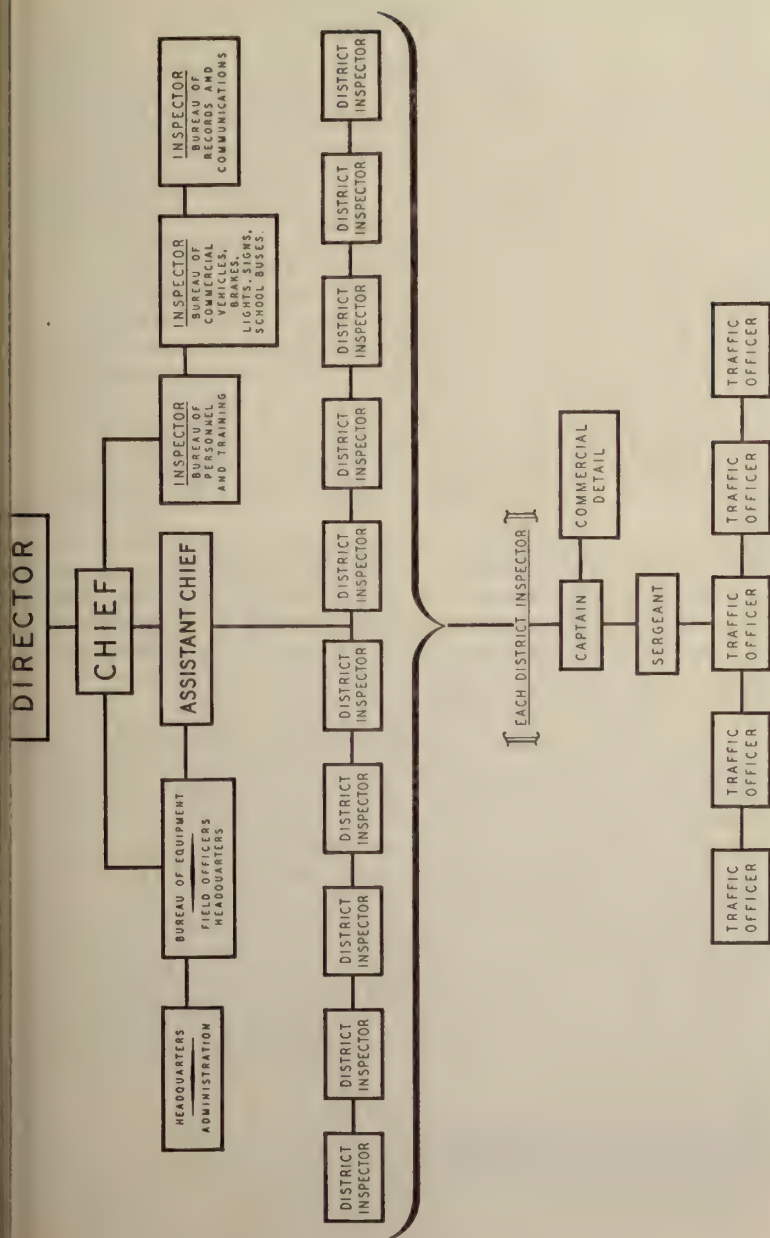
The Honorable Fred B. Wood, your Legislative Counsel, and his deputy, W. L. Kilgore, and other members of his staff gave us most valuable assistance in the preparation and in the digest of summaries of the California Vehicle Code and the comparison of your code with Acts II and V of the Uniform Vehicle Code.

The members of my staff and I wish you and the members of your committee every success in your splendid efforts to improve the administrative efficiency of the State Government.

Yours very truly,

FMK:aah

LT. COL. FRANKLIN M. KREML, Director



Proposed Organizational Chart of a Separate Department Submitted to the Senate Committee on Governmental Reorganization by the California Association of Highway Patrolmen

INTRODUCTION

On May 20, 1946, this organization accepted the invitation of the Senate Committee on Governmental Reorganization of the California Legislature to study the "legislative, administrative, and organizational requirements of the California Highway Patrol," giving attention to the problems of motor vehicle administration and traffic law enforcement. The subsequent survey and this report were respectively directed and prepared by the undersigned with the assistance of the following staff: Daniel C. Snedaker and Francis P. Lowrey, field representatives of the Traffic Division, International Association of Chiefs of Police, and Dr. David G. Monroe, counsel, Northwestern University Traffic Institute.

California with 3,166,178¹ registered motor vehicles ranks first in the Nation. While national motor vehicle registration decreased during the war period from 34,000,000 to 29,000,000, California's registration increased from 3,163,376 to 3,166,178.² During the first half of 1946, gasoline consumption in the State was 21 percent above 1941 levels. Congestion and an increasing accident experience are retarding the economic and social development of the State,³ which is more highly dependent upon motor transportation than any other of comparable population.

Reliable sources indicate that motor vehicle registration in the United States may reach 40,000,000 by 1960.⁴ In view of past experience and present trends, it is reasonable to assume that California will share disproportionately in this increase, probably having a registration of 5,000,000 in 10 years.⁵ The State's traffic situation is now difficult and perplexing;⁶ it will become gravely critical unless the problem is met, as it unfolds, with adequate and courageous official action.⁷

This report discusses the prevailing traffic law enforcement situation of the State of California and contains recommendations regarding the organization and management of the administrative and judicial agencies charged with responsibility for traffic law enforcement. The report gives major attention to the California Highway Patrol because of its importance in state traffic law enforcement. Some attention necessarily is given to the California Vehicle Code, and recommendations are made therein particularly affecting the enforcement program.

Important consideration also was given to the organization of the state structure for control and coordination of its safety program, substantial responsibility for which extends into each of several departments of the executive branch. Upon such control and coordination depends, to a large degree, the ultimate success, not only of the traffic law enforcement work of the State, but of its traffic engineering, public and school safety education as well.

¹ Fee paid registrations as of June 30, 1946.

² See Table I, page 201.

³ See Tables II and III, pages 202 and 203.

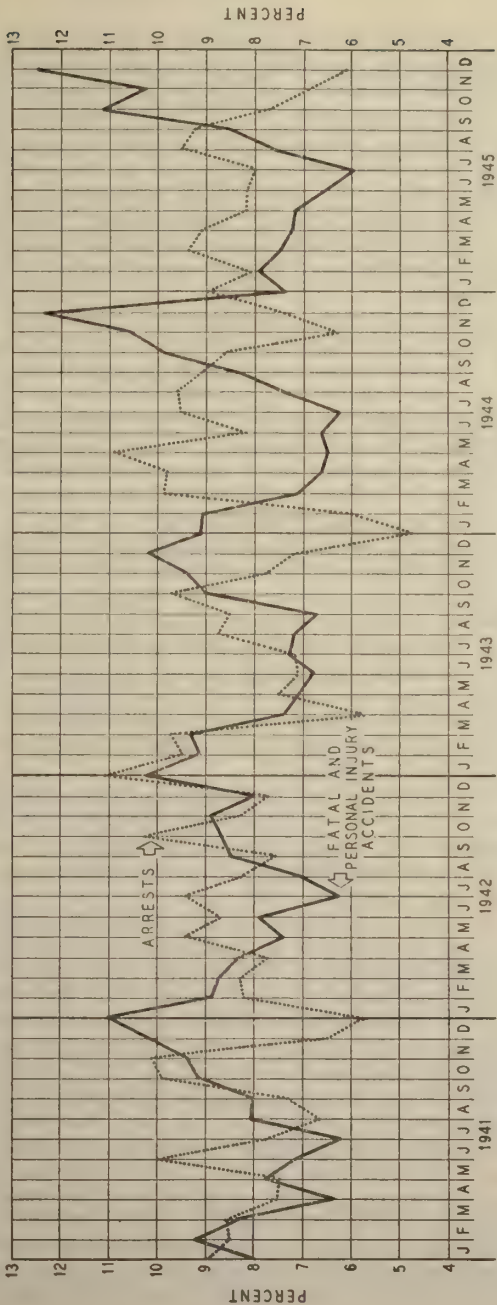
⁴ Public Roads Administration estimate.

⁵ Automotive Safety Foundation estimate.

⁶ See Table IV, page 203.

⁷ See Table V, page 203.

FIVE YEAR COMPARISON
1941-1945
PERCENT OF
ACCIDENTS AND ARRESTS
BY MONTH



GRAPH I. City of Oakland, California

The value of traffic law enforcement—including a sound code, effective police action, impartial adjudication and careful driver selection and elimination through examination and license revocation—has been repeatedly demonstrated to be a highly resultful traffic control and accident prevention technique. The accompanying graph, summarizing the experience of Oakland for a five-year period, is illustrative of this point. However, to be productive, traffic law enforcement must result from a planned program, carefully directed toward those factors which are primarily contributing to an adverse experience and are susceptible to correction or improvement by enforcement action. It must, in a word, be of high quality.

In its broad sense, enforcement includes any ethical activity which tends to secure voluntary compliance with the law. The special aim of traffic law enforcement is to deter the violator and potential violator to such an extent that the safe and efficient use of the highways is assured to all. This is true of the various types of enforcement activity, whether it results in the arrest, prosecution and punishment of violators, in the suspension or revocation of the driving privilege or the suspension or revocation of vehicle registration plates, warnings, or admonitions, depending upon the circumstances of the case.

Looking at enforcement from a restricted point of view—that which deals with the arrest, prosecution and trial of traffic law violators—we find that there are certain specific requirements which must exist if the enforcement activity is to be effective. One of these requirements is a code of law, sound and enforceable, as modern as the conditions they are devised to control and which protect the peculiar interests of no special groups. Unless the code meets these requirements the police will be unable to apply uniform pressure upon the violators, and the courts cannot apply the code uniformly—with the result that the purpose of the law will not be realized.

The authority and jurisdiction of the enforcement agency must be sufficient to permit it to operate effectively. Authority must be commensurate with responsibility. The wording of the laws must be such that the intent is clear, and the police must have sufficient authority to enforce each provision of it.

The third requirement is that all enforcement officers must perform effectively. Even within our restricted definition of enforcement, we find that it contemplates the efficient and cooperative action of officers representing three branches of government. The police officer arrests the violator, the district attorney should represent the State in the prosecution of the case and the judge renders the verdict and assesses the penalty. No phase of this process is complete in itself. All three must be performed properly if enforcement action is to be of high quality. Certainly the motorist, whether a resident of this State or any other, is within his rights to insist that these three public officials perform their duties on a high plane.

Another requirement of effective enforcement is alert and competent action by the police agency. Broad policies of procedure must be developed and maintained; basic needs for area coverage must be secured; officers must be assigned throughout the State in proportion to the problems facing them with specific instructions regarding their methods of

operation; adequate personnel, properly directed, must be made available; a sufficient amount of equipment, meeting rigid performance standards, must be made available to permit this important arm of government to operate economically and effectively.

Enforcement activities should be uniformly sound throughout the State; they must be directed at common, pre-determined goals. The safety and convenience of the public demand that the State assume responsibility for the development of the program and that it secure participation by the official and public agencies having responsibility for the various phases of traffic control. Without effective leadership by state officers and agencies and the full support of the Legislature, traffic safety, particularly in rural areas, will not be achieved.

LT. COL. FRANKLIN M. KREML, Director

SUMMATION

1. California faces a critical problem of traffic control and accident prevention. The State ranks first in the Nation in the number of registered motor vehicles—3,166,178—and with motor vehicle use increasing, a registration of five million is forecast by 1955.

2. Enforcement is the most immediately effective measure that can be applied for substantial improvement in highway traffic control and accident prevention.

3. The following are the major requirements of a sound traffic law enforcement program for California:

a. Reorganization of state traffic law enforcement.

(1) Detach the California Highway Patrol from the Department of Motor Vehicles and establish it as a separate department.

(2) Place the chief of the patrol under a five-man commission, removing him from civil service status.

(3) Reorganize the California Highway Patrol, providing adequate headquarters staff and sufficient line command and reducing the number of commanding officers through patrol area consolidation.

(4) Reestablish the California Highway Patrol training school, which should provide facilities for the traffic training of municipal officers as requested by local government.

(5) Provide additional patrol men and increase motor equipment and strength commensurately, so that the state highways may be policed with reasonable adequacy.

b. Provision of the necessary facilities within the Department of Motor Vehicles for the following, as provided by law:

(1) Adequate driver examination and reexamination programs.

(2) Past-conviction records for hearing courts.

(3) Suspension of drivers' licenses of defendants failing to appear on previously issued citations.

- c. A study of the inferior courts by the State Judicial Council for the purpose of providing, in principal, a state-wide traffic court system of the type recommended in the Warren report, "Traffic Courts."
 - d. Revision of the California Vehicle Code, bringing it into close conformity with Act V of the Uniform Vehicle Code of the National Conference on Street and Highway Safety. The slight language differences in some sections of the Rules of the Road are such as result in wide disparity of principle.
- (1) Provisions of the Vehicle Code enacted to arrest certain administrative practices or to compensate for the lack of executive action are unsound.

4. Present governmental machinery for the coordination and control of the various traffic functions of the several departments of the executive branch is inadequate.

- a. Coordination cannot be effected from within one of the affected departments.
- b. Authority for such coordination should be drawn directly from the chief executive.
- c. Sufficient authority should be delegated to a coordinator to allow for actual executive direction of traffic control activities whenever required.
- d. The coordinator should be permitted to secure outside technical consultative assistance as necessary.

5. The universality of the traffic problem is such that state-county-municipal coordination, particularly in enforcement and motor vehicle administration, is imperative.

- a. Such coordination should be developed cooperatively with the assistance of the state coordinator.

SUMMARY OF RECOMMENDATIONS

THE POSITION OF THE HIGHWAY PATROL IN THE FRAMEWORK OF STATE GOVERNMENT

It is recommended that:

1. The patrol be separated from the Department of Motor Vehicles and be established as a separate state department.
2. The patrol be placed under a commission of five appointed by the Governor; that members serve staggered terms and that reappointments be possible.
3. Specific authority and responsibility for patrol administration be delegated to the Patrol Commission and the chief of the patrol.
4. The Governor have authority to appoint the chief upon nomination by the commission.
5. The commission have authority to remove the chief, for cause.

6. The commission be empowered to appoint a full-time, salaried executive secretary.

7. Sections 102, 103, 106, 108, 113, 116, 124, 126 and 128 of the Vehicle Code be revised in keeping with recommended reorganization.

8. The chief of the patrol be removed from civil service status, and that Section 111 of the Vehicle Code be so revised.

Patrol Duties and Responsibilities

9. The patrol retain the duties and responsibilities delegated to it by :
- a. Vehicle Code, Sections 44, 135, 135.8, 606, 663, 680 and 709.
 - b. Education Code, Section 16272, Chapter 71, Statutes of 1943.
 - c. Health and Safety Code, Division 13, Part 2.
 - d. Streets and Highways Code, Section 731.
 - e. Business and Professions Code, Division 7, Part 1.

10. Specific duties given to the Department of Motor Vehicles by the following sections of the Vehicle Code be delegated to the patrol :

- a. Sections 133, 220, 221 and 665.

11. The following sections be amended as follows :

- a. Vehicle Code, Section 135.5—Patrol authority be extended to all accidents.
- b. Vehicle Code, Section 222—The patrol to maintain records of stolen or embezzled vehicles but all activities concerning registration and/or transfer of ownership remain a departmental function.
- c. Vehicle Code, Section 489—The responsibility for tabulation of accident data to remain with the department ; analysis of accident data, research and experimentation to be granted all state agencies interested in traffic control.

Organization of Patrol Headquarters

12. The assistant chief be responsible, to the chief, for staff functions and personnel.

13. Three staff bureaus be created : the Bureau of Personnel and Training ; the Bureau of Operations ; and the Bureau of Communications and Equipment.

14. An inspector, responsible directly to the assistant chief, be assigned to command each staff bureau.

15. The following be considered the minimum number of officers needed in each bureau :

- a. Bureau of Personnel and Training—two captains and one sergeant.
- b. Bureau of Operations—five captains and eight sergeants.
- c. Bureau of Communications and Equipment—one captain and one sergeant.

16. In assigning officers to staff activities the qualification of officers be given greater weight than their present rank.

17. The position of staff aide, or adjutant, be retained and made responsible for the functioning of the budget officer and the chief clerk.

18. The position of legal adviser be created and filled by a representative of the Attorney General's Office.

19. Sections 106 and 108 of the Vehicle Code be amended whereby the chief be given the power now delegated to the director.

Field Organization of the Patrol

20. Three levels of field command be created : Supervising inspector ; district inspector, and captain.

21. The State be divided into three patrol divisions ; each to be under the command of a supervising inspector and that he be provided with offices and limited office personnel.

22. District inspectors continue to command patrol districts and that such districts be reduced to the smallest number consistent with good administration.

23. Captains continue to command squad areas and that such areas be reduced to the smallest number consistent with efficient field operations.

24. The position of sergeant be continued.

25. The Highway Patrol Manual be revised to state specifically the authority and responsibility of each level of command.

26. The chief assume full responsibility for patrol management.

Personnel Strength

27. Patrol strength be increased to 1,542 sergeants and traffic officers for field activities.

28. Twenty-three officers be assigned to the staff bureaus at headquarters.

29. Supervising inspectors command each of the patrol divisions.

30. District inspectors command each of the 14 geographical districts.

31. Captains command each of the 55 squad areas.

32. Recruits be taken from the eligible list in groups no greater than 50.

Personnel Control

33. No name be placed upon the patrol eligible list unless the applicant has passed a medical examination given or supervised by the State Board of Health.

34. Minimum or maximum age limits, 21-29 inclusive, be set for entrance to patrol service, and that Section 18932 of the Government Code (Statutes 1945, Chapter 123) be revised to so provide.

35. The Personnel Board make a thorough character investigation of each applicant before preparation of the eligible list.

36. The probationary period be lengthened to one year.

37. The patrol and Personnel Board cooperate in revising the personnel rating form and in developing a more uniform rating procedure.

38. Probationers who fail to maintain minimum standards of proficiency and conduct, after being assigned to duty, be dismissed.

39. The Personnel Board continue to study the types of promotional examinations which will disclose qualifications needed in all levels of patrol command.

40. Section 123 of the Vehicle Code be amended, retaining only the provision that members of the patrol cannot be transferred for disciplinary purposes only.

41. General orders be issued by the chief stating specifically the disciplinary powers which may be exercised by patrol officers of the various grades.

42. The Personnel Board continue to cooperate with the patrol in its attempt to maintain strict, impartial discipline.

Training

43. A full-time staff of at least three officers be assigned to the patrol training school.

44. The Legislature provide the patrol with sufficient moneys to develop and maintain a permanent and adequate patrol training school in terms of buildings, grounds and equipment.

45. The patrol utilize the services of qualified instructors from both within and outside the patrol.

46. All recruits be required to attend a training school of at least eight weeks' duration and that failure of any candidate to maintain minimum standards of proficiency and deportment be sufficient cause for immediate dismissal.

47. All traffic officers be required to attend a two-week refresher course at the end of their period of probation; all other members of the patrol be required to attend a two-week in-service course every two years.

48. Special in-service training courses be conducted for officers of each patrol grade.

49. Members of the patrol be permitted and encouraged to attend schools offering specialized training for police officers.

50. The patrol training school, with instructors and facilities, be available for the traffic training of local police officers.

51. The patrol furnish, upon request, competent officers to assist local police in their traffic training programs.

Patrol Equipment

52. A building program be developed to provide adequate space and facilities for all patrol field command and area offices.

53. Patrol field offices be located at places most suitable for rural traffic law enforcement.

54. For the present, full consideration be given to an equitable allocation of present office space for departmental activities.

55. The number of automotive units for patrol use never be permitted to drop below the ratio of 88.6 units for each 100 patrol officers.

56. The type of automotive units purchased for patrol use be in keeping with the wishes of the patrol command.

57. The patrol be permitted to list the performance specifications of all motor vehicles purchased for patrol use.

58. Special accident investigation equipment be assigned to each car used on patrol duty.

59. Additional cameras be secured and assigned to cars on regular patrol in high accident frequency areas.

60. Sufficient darkroom facilities be provided to permit speedy processing of all film exposed by the patrol.

61. The patrol adopt the breath-test method of testing chemically for intoxication, that breath-testing equipment be made available on the basis of need and that officers be trained in testing procedures and techniques.

62. The communication's needs of the patrol be met by the installation of adequate radio and teletype facilities.

Program Coordination, Integration and Control

63. The Legislature provide adequate funds to the Department of Motor Vehicles to permit it to perform effectively the various services and controls as required by law.

64. District attorneys prosecute all cases arising from violations of the Vehicle Code where a not guilty plea is entered and a trial ensues.

65. The preliminary report of the Judicial Council be supported to the end that a thorough study of the inferior courts of the State results.

66. Police agencies of the State cooperate in the employment of their traffic personnel and facilities in the development of a state-wide, uniform enforcement program, as follows:

- a. Become thoroughly acquainted with the Official State Traffic Control Program.
- b. Meet regularly with executives and administrators from neighboring jurisdictions so as to:
 - (1) Coordinate traffic planning and training.
 - (2) Develop mutually acceptable traffic enforcement policies.

- (3) Work out joint assignments for traffic enforcement officers which will necessitate coordination of effort between:
 - (a) City and county officers
 - (b) County and state officials
 - (c) State and city departments.
- (4) Develop operational coordination:
 - (a) Locally, by use of a coordinating officer, follow the example already set in Los Angeles County and the East Bay area.
 - (b) State-wide, by cooperation with Coordinating Committee of State Officials, the Governor's Law Enforcement Advisory Committee and the State Police Chiefs' Association.
- (5) Jointly, through coordinators, evaluate program results.

67. The services of a full-time, paid executive secretary be furnished the Coordinating Committee of State Officials; he be delegated sufficient authority to allow for actual executive direction of traffic control activities whenever necessary and that the Legislature allocate sufficient funds for effective control and direction of the official traffic control program.

68. The Senate Committee on Governmental Reorganization and the Joint Fact-finding Committee on Highways, Streets and Bridges make available to the Coordinating Committee of State Officials the reports, or approved portions thereof, submitted to them by agencies employed to study various phases of automotive transportation within the State in order that the coordinating committee may incorporate in the official traffic control program recommended policies and techniques.

Legislation

69. The California Vehicle Code be revised to incorporate the standards contained in the Uniform Vehicle Code.

70. Legislation be enacted making it a misdemeanor to dispose of a traffic citation or notice of arrest except as provided by law, requiring a periodic audit by the state fiscal officer of all traffic citations issued by members of the patrol, and providing that the audit report be publicized.

SECTION I

Organization of the California Highway Patrol

A. ITS POSITION IN THE FRAMEWORK OF STATE GOVERNMENT

The California Highway Patrol was established in 1929 under the Division of Motor Vehicles within the Department of Public Works. The division became a part of the Department of Motor Vehicles in 1931, the patrol being then designated as the Division of Enforcement of the Department. It has remained in this position since that time despite several recommendations, by both official and unofficial groups, that it be

changed. The matter of placement within the framework of government is of primary importance. Assignment of enforcement responsibility to a department primarily interested in nonpolice functions may result in the relegation of the enforcement function to a minor role not consistent with the public need.

The patrol, operating as the Division of Enforcement of the Department of Motor Vehicles, is required to perform duties which are not enforcement measures. So long as the patrol remains a part of the department it is reasonable to assume that it will continue to be burdened with duties which are those of other divisions of the department, as it has been in the past.

Many arguments have been advanced, in justification of the assignment of the Highway Patrol to the Department of Motor Vehicles, which performs such diverse functions as motor vehicle administration, driver licensing, motor vehicle inspection, and accident record maintenance and analysis. The more important of these arguments are stated below with our observations thereon:

1. "The three functions, registration, driver licensing and traffic law enforcement, are only three phases of one large situation—the control of the motor vehicle. Therefore the integration of these activities within a single unit is logical."

Were this conclusion valid it would logically follow that all agencies operating in the traffic control field should be merged; yet such a merger of activities is unsound because it would combine several different and distinct governmental functions, such as motor vehicle registration, driver licensing, traffic law enforcement, highway construction and maintenance, traffic safety education and adjudication of traffic cases. The present organizational pattern attempts to merge two such dissimilar functions: (1) licensing and taxation and (2) traffic law enforcement. The patrol is one unit of a large governmental agency whose main function is the collection of fees; such departmental functions continue to divert patrol strength from highway supervision.

2. "Merging these three functions, driver licensing, vehicle registration and enforcement, simplifies operation by permitting the head of the department to coordinate activities, with a consequent increase in efficiency."

Single head patrol is per se, no guarantee of efficiency, and the more complex and varied the functions under one head the greater the problems of management. In this case, where the functions differ essentially, the advantages of such control progressively deteriorate.

3. "Merger permits placement of emphasis, in the proportion to the need, on each control function."

The proper balancing of control functions is extremely difficult, since they differ so greatly in application that it is doubted that such balance has been realized at any time since the department was organized. Proper balance of control activities requires full technical

knowledge of the program and procedures of each division and an entirely objective approach.

4. "Single departmental operation promotes economy by: (1) permitting joint use of housing facilities and other equipment and (2) makes it possible for work load peaks of one division to be absorbed partially by personnel of other divisions."

Joint use of state offices may be desirable, especially if facilities meet the several demands. This practice could continue under any organizational arrangement.

The equipment requirements of any enforcement agency are essentially different from those of driver licensing and vehicle registration especially in field operations, where dual use of equipment would result in confusion and inefficiency affecting all units concerned.

In the matter of distribution of work loads, insofar as clerical staff is concerned, there may be occasions when permanent personnel of one division may be used to absorb the peak loads of another division. However, the work loads in patrol offices are more uniform than are those of the other two divisions with the resultant inequitable loan of officers to perform duties of the other divisions.

5. "A single department permits better coordination of services to city, county and other state agencies."

Such cooperation results from efforts of the individual divisions. Separation should not result in the diminution of such cooperative effort.

6. "Consolidation results in greater public convenience."

This is true in the field, since the three functions frequently are jointly housed. This arrangement may well be continued. The functions, however, should be separated administratively. In many patrol areas, the captain now has certain responsibilities for driver licensing and registration, and other officers devote an appreciable amount of patrol time to licensing and registration duties to the detriment of the public service in providing adequate highway patrol coverage.

7. "The patrol arm can aid and assist in the over-all program of motor vehicle control."

This is universally recognized and was, of course, the basic reason for the organization of the patrol. Such assistance, however, is not predicated upon absorption of the patrol by another department performing related functions.

Although the patrol was established originally to regulate and control traffic upon rural highways it was saddled early with the title of Enforcement Division and with the duties pertaining thereto. Experience in California has proved once again that where the enforcement agency is so organizationally merged with nonenforcement agencies it becomes a service unit for such other agencies. This produces a major drain on enforcement personnel; strength is dissipated instead of being centered on basic and specific responsibilities assigned by law.

A review, necessarily brief, of the present organizational position of the patrol indicates that the present organizational pattern has hindered operations.

Since establishment of the patrol in 1929 divided authority has cast an unfortunate cloud over sound leadership. Unquestionably, division of responsibility for patrol operation over a period of years has gone far in reducing patrol administration to a level detrimental to the public safety.

Conflicting issues arising from the dual nature of control have resulted from many causes but fundamentally they spring from the difficulties of compromising policy making and administration. It will be recalled that when the patrol was organized, its leadership was vested in the Director of Public Works. Two years later when motor vehicle operations were separated from public works control, the Director of the Department of Motor Vehicles became titular head of the patrol and the chief of the patrol became his subordinate. Then in 1933, on recommendation of the California Code Commission which drafted the California Vehicle Code, administrative authority, with certain reservations, was transferred to the chief of the patrol. At that time the conflicting authorities of director and chief were compromised with this philosophy of management: "It may be conceded that the Director of the Department of Motor Vehicles is directly in charge of the Chief of the California Highway Patrol and as such exercises all authority over the patrol. On the other hand, the patrol is so organized that the chief is regarded as its head."

This dual nature of command continued, with all the difficulties it entailed, until 1937. With establishment of civil service, an effort was made again to clarify the question of patrol leadership. The Director of Motor Vehicles then attempted to bring control of the patrol within his office by appointing the chief as his confidential officer, a position then exempt from civil service. The Attorney General ruled, however, that the office of chief came within civil service; consequently the chief continued as the principal administrator of patrol action. This situation prevailed through ever-increasing perplexities until 1945. At that time the Legislature transferred administrative control over the patrol from the chief to the director.

The Attorney General has been called upon frequently by both the director and chief, to clarify the relationship between them. This relationship would, of necessity, change with each legislative action.

Frequent attempts by the Legislature to remedy this situation have been laudable, and its failure has been understandable. The failure does not stem from personnel or inability to devise a workable combination, but from the fact that the system is wrong. The attempt to divide authority between the director and the chief is organizationally and administratively unsound.

The national trend is to place the state enforcement agency in a separate unit of the State Government; arguments advanced to justify placement within a department of motor vehicles or other department do not stand up. Certainly the history of the California Highway Patrol plainly indicates that the present position of the patrol hinders its proper administration. Therefore, it is recommended that the patrol be separated from the Department of Motor Vehicles.

The California Highway Patrol Commission

It is recommended that the patrol be placed under a commission of five persons, appointed by the Governor, that they serve staggered terms whereby one member of the commission will be appointed each year and that reappointment be permissible.

The present organization of the State Government justifies the creation of a Patrol Commission. In considering 47 of the more important boards and commissions, we find that 16 are composed of five members and that the members are appointed by the Governor in 20 cases. Hence there is ample precedent for these recommendations.

Responsibilities. Considerable care should be used in the allocation of the commission's duties and responsibilities, as well as in the exercise of the powers and obligations it will assume. Only the first of these considerations will be discussed here. The confusion and inadequacy under the present organization must not be carried over into a commission type of control. Areas of authority and responsibility for both the commission and the chief must be carefully designated.

Fundamentally, the actions of the commission should be limited to a statement of objectives and program planning; the chief should have the authority to command all resources—personnel, equipment and facilities—in order to attain his objectives.

The commission should not have administrative power as such but should determine policy. Complete administrative responsibility must rest with the chief.

Here again precedent justifies our recommendation. Of 33 major state agencies 28 are administered by an executive and only five by a board or commission. In the latter cases they are composed of full-time, paid members.

The following duties are indicative, but not all-inclusive, of those which should be performed by the commission.

1. It should approve the patrol budget before it is submitted to the state financial officers. The right to approve, of course, implies the power to disapprove which should be true in this instance.
2. It should formulate patrol objectives. The power to determine objectives means authority to determine the development and effectiveness of the patrol.
3. Program planning. This refers only to the direction in which patrol activities should develop. The manner in which this development is affected and the procedures and techniques followed are matters for the chief.
4. Program evaluation. The commission should have the right, at any time, to request information and data covering any phase of patrol operations. Certain regular summaries and analyses should be prepared by various staff units of the patrol and copies should be forwarded to members of the commission. If the commission wishes to learn of other matters, it should request this information.

This also implies the right to be informed concerning the manner in which policies, formulated by the commission, are being carried out.

However, it does not give to the commission the privilege of dictating to the chief the procedures and techniques to be used in the field nor does it mean the right to interfere with policies and directives sent to the field governing patrol operations. At this point the spheres of authority of the commission and the chief must be clearly understood. Otherwise, the present undesirable situation simply would be continued in a new form. The commission may determine the direction of patrol action, and formulate major objectives, whereas the administration of the patrol and the manner by which objectives are reached are the responsibility of the chief.

Until the commission can be established, and while the patrol remains a part of the Department of Motor Vehicles, the above relationships could exist by substituting the word "Director" for "Commission." The above statements then indicate the relationship which we recommend should exist between the director and the chief.

It becomes increasingly obvious that these relationships must be based upon something more than friendliness and good will. The commission must have sufficient authority over the chief to make sure that its policies will be carried out. If the chief retains his full civil service status he will not, in any direct manner, be amenable to the commission. It is therefore recommended that:

1. Appointment to fill a vacancy in the position of Chief of the Highway Patrol shall be made by the Governor upon nomination by the commission.
2. The Chief of the Highway Patrol may be removed from office, for cause, by the commission.

As the commission would not be a full-time, administrative body but would meet only at regular times, there would be a distinct need for a full-time, salaried executive secretary. Among his duties should be:

1. The keeping of minutes of all meetings of the commission.
2. The collection of information relating to commission activities; and transmittal of such information to the commissioners.
3. To serve as the avenue through which commission activities are carried on with the chief.
4. To perform other official duties as may be directed by the commission.

The executive secretary should have no power or authority in his own name except as he represents the commission. Because of this fact he should be appointed by, and be subject to removal by, the commission. However, the position should be of considerable importance and the Legislature should attach to it such a salary as will attract capable, well qualified persons.

Recommendations Regarding the Positioning of the Patrol

It is recommended that:

1. The patrol be separated from the Department of Motor Vehicles and be established as a separate department of the State Government.

2. The patrol be placed under a commission of five, appointed by the Governor; that they serve staggered terms and that reappointment be permissible.

3. Specific authority and responsibility for patrol administration be delegated to the Patrol Commission and the chief of the patrol.

4. Appointment to fill a vacancy in the position of Chief of the Highway Patrol be made by the Patrol Commission.

5. The Chief of the Highway Patrol shall be removed from office, for cause, by the Patrol Commission.

6. The Patrol Commission be empowered to appoint a full-time, salaried executive secretary.

7. Sections 102, 103, 106, 108, 113, 116, 124, 126, 128 of the Vehicle Code be revised to conform to the above recommendations.

8. Legislation be enacted governing the appointment and tenure of the chief of the patrol on a noncivil service basis in keeping with the above recommendations; this will include the amendment of Section 111 of the Vehicle Code.

B. PATROL DUTIES AND RESPONSIBILITIES

Following is a review of the major duties delegated to the patrol either by legislative action or departmental regulation, with evaluation of each assignment. Such an evaluation and recommendation thereon is essential to the subsequent discussion of the organization and operation of patrol headquarters.

Vehicle Code Sec. 44. Authorized Emergency Vehicle. The chief of the patrol is granted specific duties and authority relating to the issuance of emergency vehicle permits. This should continue as a duty of the patrol.

Sec. 133. Seizure of Documents and Plates. This authority is given the department, but has been exercised by the patrol only upon notice from the director. Although this results in servicing "briefs" issued by the other two divisions of the department, and accounts for some officer time, it can best be performed by officers. This should continue as a duty of the patrol.

Sec. 135. Police Authority of Members of the California Highway Patrol. This section grants to patrol officers the power of peace officers, but only in enforcement of the provisions of the Vehicle Code and other acts respecting the use or operation of vehicles upon public highways and in certain other specified cases, all relating to the use of the highways. This authority is essential to effective work in traffic control and accident prevention and should be retained by the patrol.

Sec. 135e. All members of the California Highway Patrol shall have the power to serve warrants relating to the enforcement of this code. Patrol officers should have the power to serve warrants but this power should be limited to warrants which may result from patrol enforcement action. This section should be revised to empower members of the patrol to serve warrants issued as a result of patrol action in the enforcement of this code.

Sec. 135.5. Investigation of Accidents by Highway Patrol. This section grants to members of the patrol the authority to investigate accidents resulting in personal injury or death and to gather evidence for the purpose of prosecuting for violations contributing to such accidents. This authority should be extended to cover all traffic accidents.

Sec. 135.8. Reporting Damage to Fences. Members of the patrol shall report any observed damage to any fence along any highway. This should continue as a duty of the patrol.

Sec. 220. Police Reports of Stolen and Recovered Vehicles. The duty to maintain certain records of stolen and recovered vehicles is placed upon the department but has been assigned to the patrol. This should continue as a duty of the patrol.

Sec. 221. Reports by Owners of Stolen and Recovered Vehicles. This is a similar situation to that existent under Sec. 220. This should continue as a duty of the patrol.

Sec. 222. Action by Department on Report of Stolen or Embezzled Vehicle. The patrol maintains records of stolen or embezzled vehicles but all activity concerning registration and, or transfer of ownership is performed by the department. This arrangement should be continued.

Sec. 489. Department to Tabulate and Analyze Accident Reports. The tabulation of accident reports and the summarizing and dissemination of statistical data should remain a departmental responsibility. The analysis of accident data should be performed by other governmental units as required by their specific needs. The patrol should analyze accident and enforcement data for the purpose of evaluating past performance and planning future activities; the Division of Highways should study accident data for engineering purposes; the Department of Public Instruction should analyze accident information for use in safety educational activities; the Division of Driver Licenses may require special studies of accident prone drivers, etc. It is recommended that the department continue to tabulate accident data and prepare routine and special summaries desired by other interested governmental units having traffic control responsibilities. It also is urged that the Department of Motor Vehicles, the Highway Patrol, the Division of Highways (or the Department of Public Works) be authorized to conduct such further analysis so as to determine more fully the cause and control of highway accidents, and to conduct experimental field tests to prove the practicability of various ideas advanced in traffic control and accident prevention in their respective area of responsibility.

Sec. 606. Policing of Vehicular Crossings by Highway Patrol. This section extends the highway to include certain bridges, making the patrol responsible for the regulation of traffic thereon. This should continue as a duty of the patrol.

Sec. 651. Test of Light Equipment Regulating Light Emitted from Light Sources. This, and following sections, make the department responsible for setting certain standards and for approving vehicular lighting equipment, thereby assuring that such devices used on vehicles are of approved design and efficiency. This activity has been delegated to the patrol. However, the setting of such standards and the approval of such devices, not being enforcement functions, should be performed by the department. The patrol should enforce the provisions of the code relative to all safety devices and/or the standards set by the department.

The same principle should be made to apply to other vehicle safety devices and appliances.

Sec. 663. Members of Highway Patrol May Inspect Lamps. This should continue as a duty of the patrol.

Sec. 665. Official Lamp and Brake Testing Stations. The department is granted authority to designate, furnish instructions to, and supervise official stations for adjusting vehicular light equipment and brakes. These activities have been delegated to the patrol. Modern practice establishes these as functions of the Department of Motor Vehicles, outside the policing sphere. The department should perform this duty as soon as it is provided with the necessary field staff. Until this time the work should continue as a duty of the patrol.

Sec. 675.5. Safety Glass Required. The department is required to approve types of safety glass that may be used in cars registered within the State. The patrol has been performing this duty. In accordance with discussion of Section 651, it is recommended that this responsibility revert to the department.

Sec. 680. Members of Highway Patrol May Inspect Vehicle and Its Equipment. This should continue as a duty of the patrol.

Sec. 709. Officers May Weigh Vehicles and Enforce Removal of Excess Loads. This should continue as a duty of the patrol.

Caravan Act (Chapter 788, Statutes of 1937, revised). It is recommended that the department handle all functions relating to the issuance of caravan permits and that the patrol apprehend and prosecute violators of this act.

School Busses—Educational Code 16262. (Chapter 71, Statutes 1943.) The patrol is required to enforce all regulations adopted by the Department of Education and approved by the chief of the patrol, relating to the construction, design, operation, equipment and color of school busses. This should continue as a duty of the patrol.

Trailer Camps and Trailer Coaches. Health and Safety Code, Division 13, Part 2. (Chapter 60, Statutes of 1939.) The Highway Patrol enforces Section 18602, which prohibits the overnight parking or camping of trailer coaches upon any public highway, including the right of way. This should continue as a duty of the patrol.

Vending from Roads and Roadways. Streets and Highways Code, Section 731. The patrol enforces the provisions which prohibit the vending of any article from a vehicle or structure which is wholly or partly within any state highway. This should continue as a duty of the patrol.

Itinerant Merchants. Business and Professions Code, Division 7, Part 1. (Chapter 4, Article 2, Section 16346.) This article requires itinerant merchants to carry their licenses when itinerant and to display such licenses upon demand by a member of the patrol. While this act is not a highway regulation, the display of such licenses aids driver identification and this duty should remain with the patrol.

These, then, are among the major responsibilities given the patrol by legislative action and departmental regulation. Basically, the patrol has complete and exclusive¹ authority to enforce the provisions of the Vehicle Code; to regulate the use and operation of motor vehicles upon

¹ See Chapter 4307, subdivision 2, of the Political Code.

the highways; to determine that these vehicles are in safe operating condition; to insure an individual's right to vehicle ownership and to insure, by enforcement action, the free and uninterrupted use of the highways. That these basic functions may be performed with vigor and effectiveness, it is recommended that:

1. The patrol retain those duties and responsibilities now delegated to it, the performance of which will increase the safety of motor vehicle operation or the efficiency of highway use; the following sections remaining unchanged:

- a. Vehicle Code Sections: 44; 135-a, b, c, d, f; 135.8; 606; 663; 680; 709.
- b. Education Code 16272, Chapter 71, Statutes of 1943.
- c. Health and Safety Code, Division 13, Part 2.
- d. Streets and Highways Code, Section 731.

2. Duties now given the department be delegated specifically to the patrol. These are contained in the following sections of the Vehicle Code:

- a. Sections 133, 135e, 220, 221, 665.

3. The following sections be amended as follows:

- a. Vehicle Code Section 135.5—the authority of members of the Highway Patrol be extended to include all traffic accidents.
- b. Vehicle Code Section 222—the patrol maintain records of stolen or embezzled vehicles but all activities concerning registration and/or transfer of ownership remain a departmental function.
- c. Vehicle Code Section 489—the responsibility for tabulating accident data and preparing routine and special summaries desired by other interested governmental agencies having traffic control responsibilities rest with the Department of Motor Vehicles; said department, the Highway Patrol, the Division of Highways (or the Department of Public Works), the Department of Public Instruction, be authorized to conduct further analysis and necessary detailed research to determine more fully the cause and control of highway accidents, and to conduct experimental field tests as desired to prove the practicability of various ideas advanced in traffic control and accident prevention, within their respective area of responsibility.
- d. Business and Professions Code, Division 7, Part 1. (Chapter 4, Article 2, Section 16346.) This should continue as patrol duty.

C. ORGANIZATION OF PATROL HEADQUARTERS

Effective employment of patrol facilities and personnel requires that the chief have complete, current information in usable form on the problems facing the patrol. This means that he have enough assistance from qualified personnel to prepare information to map plans and programs for

patrol operations, to handle the operational details of patrol headquarters, to provide in general for effective performance. Staff assistance is essential to the operation of any large, decentralized organization. An inadequate or poorly operated headquarters staff places an impossible administrative burden upon the executive. Inefficiency in field operations results. The California Highway Patrol is now inadequately staffed at headquarters. Chart I shows the recommended organization of patrol headquarters; a brief discussion of the major points follows:

Assistant Chief. It is recommended that the position of assistant chief be continued, and filled; that he act as a chief of staff, directing, coordinating and commanding all staff activities and staff personnel in keeping with policies of the chief; that he be not in the line of command except in the absence of the chief.

Headquarters Staff Bureaus. It is recommended that three staff bureaus be created: the Bureau of Personnel and Training, the Bureau of Operations, and the Bureau of Communications and Equipment, each to function under the command of an inspector.

This will decrease the number of bureaus and will group staff functions according to type of activity. Thus, the Bureau of Personnel and Training would perform duties relating to the control of patrol officers; the Bureau of Operations would be responsible for planning and evaluation of patrol operations including the dissemination of information and instructions to the field; and the Bureau of Communications and Equipment would provide control over property, equipment and communications.

Bureau of Personnel and Training

The problems of personnel and training are so inter-related and the administration of each is so complementary that they may be combined successfully under one bureau director.

Training. This important staff function is essential to the development and maintenance of a training program which will insure operating effectiveness by training and indoctrinating each member in the patrol's own school.

Personnel. As a separate department of the State Government the patrol would maintain all records pertaining to patrol personnel. Personnel activities performed by this bureau should include:

1. The maintenance of personnel records and files.
2. Supervision of personnel rating forms and procedures.
3. Investigations of all patrol personnel.
4. Reassignment of personnel for the good of the service, or as called for in programs developed by a Bureau of Operations.

RECOMMENDED ORGANIZATION OF PATROL HEADQUARTERS

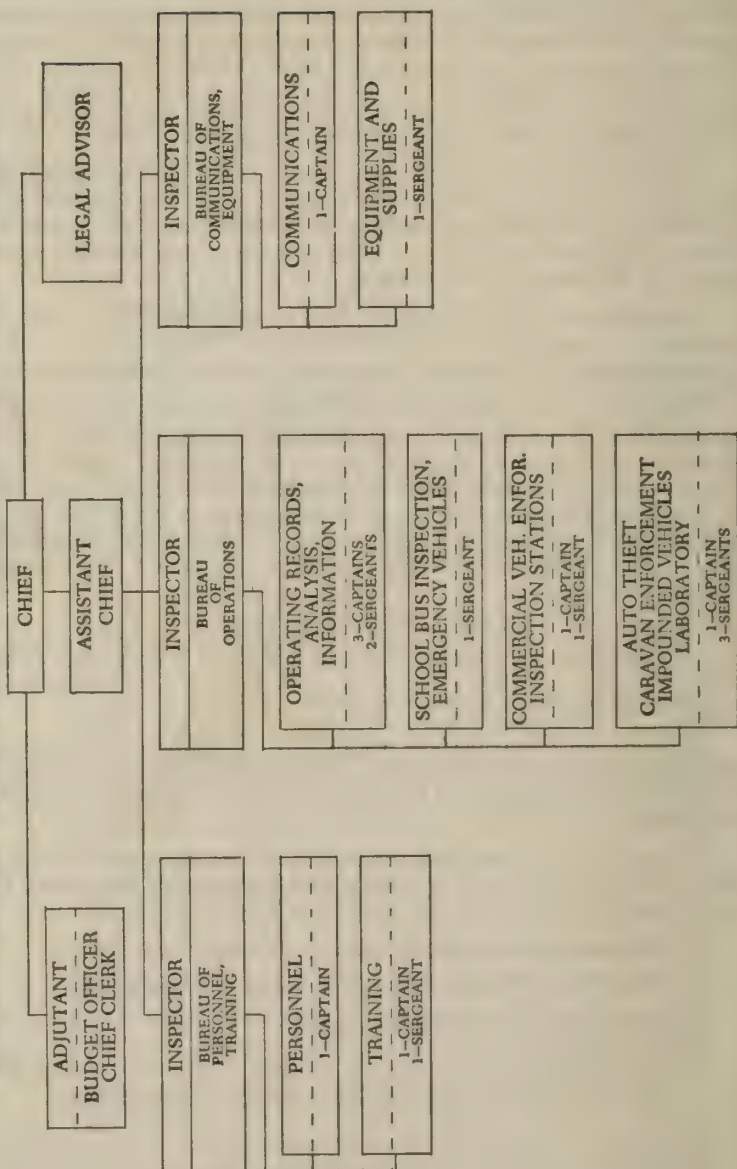


CHART I

Bureau of Operations

Fundamental activities of this bureau should include:

1. Maintenance and analysis of records pertaining to patrol operations.
2. Development of operational programs.
3. Checking program progress to determine validity; program revision, where indicated by such analysis.
4. Determination of standards and procedures for field operations.
5. Supplying information to officers in the field and to the public.

Although the activities to be directed by this bureau have been performed by the patrol for some years, the activities and responsibilities of one unit therein warrant special notice.

Operating Records, Analysis and Information. Recording and analytical duties, if properly performed, will furnish the foundation for the programming of patrol activities on an integrated basis whereby all field units are coordinated so that personnel and equipment are gainfully employed in the attainment of common objectives determined by the headquarters staff by analysis of accident reports and other traffic data originating in the field. This unit is therefore of great basic importance to the development of an effective enforcement program, predicated upon the demonstrated public need.

Bureau of Communications and Equipment

Although these activities differ they are both supporting functions and can, for the present at least, be supervised by one commanding officer. Development of the state-wide patrol radio net recommended later in this report will increase materially the responsibilities of the commanding officer of this bureau. Eventually, separation of these two units may be required.

Chart I indicates the minimum number of officers recommended for each bureau as well as their proposed rank. The qualification of officers assigned to these positions is more important than the rank they hold.

The staff integrity of these bureaus must be maintained; otherwise, they will not provide the service which is intended. Their basic functions should be:

1. Planning, program development, service and support so that the field may operate effectively.
2. Formation of directives which, when approved by the chief, go to the field as orders.
3. Regular visits to the field to inspect, consult, advise and report, but not command.

It shall be the responsibility of the assistant chief to coordinate and direct these bureaus within the limits of departmental policies.

Certain headquarters activities necessarily must be performed directly from the chief's office; these should be the responsibility of an adjutant and a legal advisor, as discussed below:

Adjutant

It is recommended that the position of adjutant (staff aide) be continued, with his responsibilities as follows:

1. To draft and transmit to all patrol officers or units the orders, directives and other communications as approved by the chief.
2. To expedite the handling of all official correspondence.
3. To supervise the budget officer, who may be a civilian.
4. To act as personal aid to the chief.
5. To manage the details of the chief's office.

Legal Advisor

Patrol headquarters receives many requests from the field for legal information. A prompt reply from a qualified source will improve the quality of the work performed in the field. At present such questions are answered by uniformed officers in headquarters, frequently by heads of the interested bureaus. The fact that answers have been of such high quality is a credit to these officers, but those questions which pertain solely to interpretation of the law should be answered by counsel. It is recommended that the position of legal advisor be established and that a representative of the Attorney General be assigned to the patrol for this purpose.

Recommendations Regarding Patrol Headquarters

It is recommended that:

1. The assistant chief be responsible directly to the chief for the coordination and direction of headquarters staff functions and personnel.

2. Three staff bureaus be created: The Bureau of Personnel and Training, the Bureau of Operations, and the Bureau of Communications and Equipment.

3. An inspector responsible directly to the assistant chief, be assigned to command each staff bureau.

4. In the assignment of officers to these bureaus, the following is recommended as the minimum personnel necessary for effective performance:

A. Bureau of Personnel and Training:

1. Personnel—1 captain.
2. Training—1 captain and 1 sergeant.

B. Bureau of Operations:

1. Operating Records, Analysis and Information—3 captains and 2 sergeants.

2. Commercial Vehicle Enforcement and Inspection Stations—1 captain and 2 sergeants.
3. School Bus Inspection and Emergency Vehicles—1 sergeant.
4. Auto Theft, Caravan Enforcement, Impounded Vehicles and Laboratory—1 captain and 3 sergeants.

C. Bureau of Communications and Equipment:

1. Communications—1 captain.
2. Equipment and Supplies—1 sergeant.

5. In assigning officers to staff activities the qualification of officers be given greater weight than their present rank.

6. The position of staff aide, or adjutant, be retained with this officer responsible for the functioning of the budget officer and the chief clerk.

7. The position of legal advisor be created and that it be filled by a representative of the Attorney General's office.

8. Section 106 of the Vehicle Code be amended to permit the chief of the patrol to appoint and, with the approval of the Department of Finance, fix the salaries of such officers, deputies, technical experts and employees as may be necessary for the proper discharge of the duties of the patrol.

9. Legislation be enacted authorizing the chief of the patrol to organize the patrol in such manner as he may deem necessary in order to carry out the responsibilities of the patrol as determined by the Legislature and the Patrol Commission. This requires amendment of Section 108, Vehicle Code.

.D. FIELD ORGANIZATION

Organization is the grouping of related functions for the attainment of a common purpose; geographically, it is division of the force into units in a manner that will promote the efficient and economical attainment of such purpose.

Four principles of organization are worthy of special consideration here. First, the patrol should be so organized that lines of authority and responsibility are distinct throughout the entire organization. The most effective means of providing for uniformity and integration of activity is through the strategic placement of command and subordinate personnel with definite lines of authority.

Second, officers having similar command and responsibility should have corresponding rank and authority.

Third, in evaluating the organization of a state enforcement agency, problems of geography and topography must be considered. In California this problem of geography is a primary determining factor.

Fourth, the span of administrative control never should be expanded beyond workable limits. Experience indicates that, with rare exceptions, an administrator cannot supervise effectively the activities of more than six to eight subordinates.

There are now two levels of field command in the patrol—captains commanding patrol areas and district inspectors supervising patrol activities in district areas. The latter is composed of two or more patrol areas. (Chart II)

In evaluating organizational problems constantly facing the patrol administrator, it is clear that centralization demands considerable attention. Believing that centralized control over all patrol operations is essential, the question arises—how far is it necessary and/or practical to decentralize authority and responsibility?

Centralization often results in remote control of field operations especially in distant parts of the State; contact between the headquarters and the local area commander is very infrequent. This is the present situation. The tendency of the enforcement unit is thus to divide into several parts, each operating more or less independently. This situation should be arrested, establishment of a position of command level between the office of chief and that of district inspector—namely a supervising inspector commanding a division containing several district commands.

Patrol Areas

The county always has been considered, both by the public and many members of the patrol, as the basic organizational unit for patrol operations. Historically and politically this has been the policy. However, the traffic problem does not coincide with political boundaries. A departure from the county area concept of organization is essential to operational efficiency and development of the patrol.

The patrol command long has been aware of the defects in making the county the basic patrol area. In 1939, the boundaries of patrol areas were established on the basis of public need and operating efficiency; county patrol areas in some cases were united and in others divided for purposes of competent administration and the number of patrol areas reduced from 60 to 50, with a corresponding reduction of command personnel. In November, 1945, these changes were rescinded, apparently for considerations other than the good of the service. We recognize that the present organizational situation cannot be remedied at once. However, it is recommended that, as rapidly as possible, the boundaries of patrol areas be determined upon the basis of need, considering the highway system, the traffic problems existing thereon, topography and efficient administrative control.

A captain commands each patrol area. It is essential that his authority should be commensurate with his responsibility and that the extent of each should be understood specifically both by himself and all others concerned. The captain directing the front line activities of the patrol should be familiar with the entire battle plan as it affects him; he should be assisted by staff direction and information and yet have enough authority to realign and redirect his forces to meet shifting or emergency problems. He should also be aided by a sufficient number of qualified supervisors and patrolmen to ensure smooth functioning operation.

PRESENT FIELD ORGANIZATION OF THE CALIFORNIA HIGHWAY PATROL

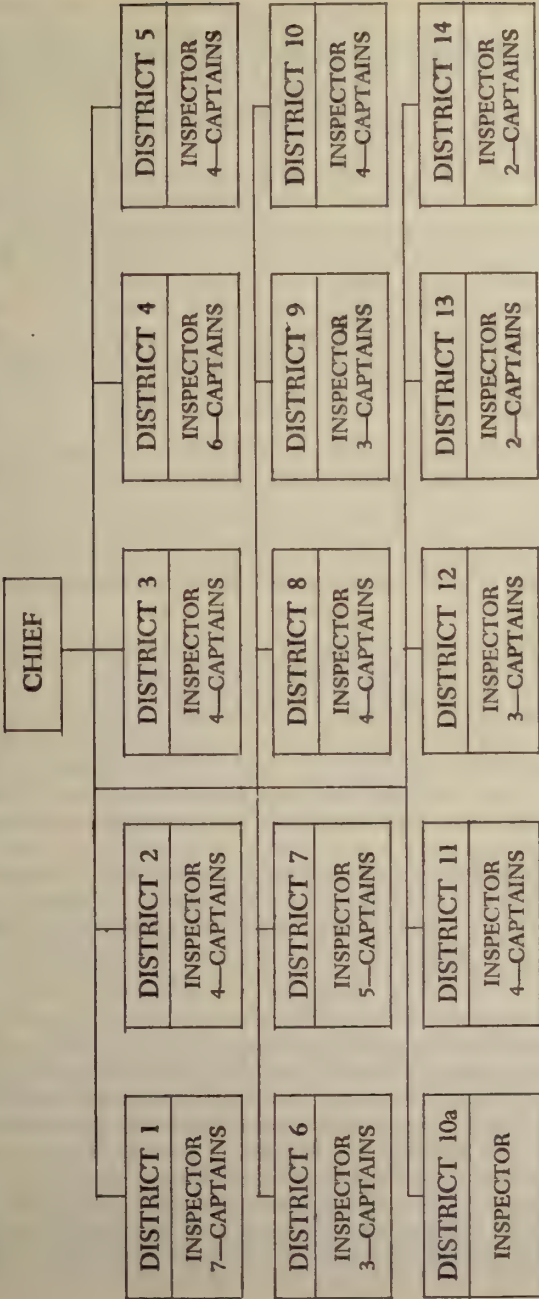


CHART II

Patrol Districts

The State is divided into 14 administrative districts, each comprising two or more patrol areas. There is a 15th district, the commander of which directs technical enforcement and investigations within Los Angeles County and its contiguous areas. District inspectors are assigned as commanders of the districts.

The California Highway Patrol Manual outlines the duties of the district inspector in these terms: "Upon him shall rest the full responsibility and authority for the operation and conduct of the patrol in his respective district" and "He shall regulate, plan, and manage operations throughout his district by issuing orders to his captains. * * *" It is recommended that the position of the district inspector be defined and clarified in accordance with the following:

1. Upon him shall rest the responsibility and authority for the operation and conduct of the patrol within his district, subject to (a) orders of his superiors and (b) policies and orders of the office of the chief.

2. He shall plan the operations of the various squads in his command; manage and coordinate operations by acting through the squad commanders; and review and revise plans and operational procedures—but only within the limits of his authority, in keeping with patrol policies and orders from higher authorities. It is also recommended that the districts be reduced to a number consistent with good administration.

Patrol Divisions

Normally, a chief should contact subordinates often to know them well, understand the problems of each district and give them direction, assistance and encouragement. A dilemma arises, however, when a chief must direct and supervise as many as 15 field commanders as well as the supervising inspector in charge of staff operations. This is the situation in the California Highway Patrol. It violates the accepted principle of organization that no administrator can supervise competently the activities of more than six to eight assistants. The administrative weaknesses resulting are critical; the fact is that it is impossible for the chief to adequately administer field operations. Even if these 16 assistants were situated at one place so as to be most accessible, the amount of work involved and the diversity of their problems would prevent the chief from giving necessary administrative direction. The size and topography of the State alone prevents one man from contacting inspectors often enough.

The chief should not be burdened with directly supervising field operations; other duties relating to directing, planning and evaluating patrol operations put ample burden upon his time and energy.

The report submitted to the California Highway Patrol by this organization in 1940 urged that another level of field command be established between the chief and district inspectors. The experience of the patrol since that time has strengthened this position.

Partly because of the above recommendation and partly because of the increase in the number and severity of patrol problems during the war, a third level of field command was created. Orders from the office of the chief on October 31, 1944, effective November 10, 1944,

established three "Field Sector Commands," each to be under a supervising inspector. A study of this basic change in patrol organization indicates two interesting results. First—criticism, which in some instances was stimulated by considerations other than the good of the service. Second—the longer the plan operated the more effective it became. However, orders issued on November 13, 1945, effective November 15, 1945, abolished the sector commands. We regard this as an unfortunate and retrogressive action operating to the detriment of the public welfare.

It is again recommended that the level of command of supervising inspector be established between the chief and district inspectors.

The recommendations call for creating offices of field command. Supervising inspectors in these positions would represent the chief in directing, supervising, coordinating and inspecting patrol operations in their respective commands. They also would exercise, within certain defined limits, the authority of the chief in developing patrol efficiency. In short, they would direct and review activities in accordance with patrol policies. The position of a division commander with the patrol organization, his basic duties, responsibilities and authority must be stated specifically and understood fully if he is to function effectively.

The size and topography of the State and the relative concentration of problems requiring patrol attention, make it mandatory that three divisions be organized for effective field control. (See Map I.) Division headquarters should be located centrally in view of the area, problems, communications, transportation and geography.

The supervising inspector must be in the field a considerable portion of the time if he is to adequately perform his duties. He must, therefore, have the assistance of a small number of uniform and clerical personnel to evaluate data and reports submitted by the field and to put them into usable form; to supervise and study operating conditions and needs within the division so the supervising inspector may be equipped to intelligently inform headquarters of his problems and needs and in turn to ensure field performance in accordance with headquarters directives.

It has been recommended that the chief be responsible for management of the patrol. We take the position that responsibility should be centralized in the office of the chief (but that certain defined authority must be delegated to subordinates, i.e., supervising inspectors.)

Headquarters staff will be responsible for receiving, studying and analyzing all information from the field; developing programs for the field; checking performances and results against plans and policies; preparing plans to increase patrol effectiveness; coordinating the patrol program with the official state traffic control program; and maintaining routine office functions. With the assistance of such a staff, properly directed and coordinated, the chief will be in a position to command and administer the patrol in an effective manner.

For proper field administration the chief must delegate authority and responsibility to the various levels of field command. The supervising inspectors should be in frequent contact—at least bi-weekly—with the chief, and should be responsible to him. As the immediate superiors of

RAND McNALLY

LOOSE LEAF OUTLINE MAP

CALIFORNIA



the district inspectors, they should have the authority to insure full application of patrol policies.

District inspectors, the immediate superiors of the captains, should have the authority to supervise and command the work of the captains and to coordinate activities within their districts.

The captains have immediate supervision over the men assigned to their squad areas and should have the authority to enforce high quality performance.

Sergeants should not be commanding officers. Their primary function will be to provide field supervision necessary for efficient officer performance.

Thus a definite line of command would be drawn from the chief to the traffic officer, with specific duties, authority and responsibilities delegated to each level. For efficient operation and officer morale, such a chain of authority should be maintained. Obviously, attempts to by-pass any level of command on official matters should not be tolerated.

RECOMMENDATIONS

It is recommended that:

1. The patrol be reorganized to include three levels of field command: Supervising inspector, district inspector and captain.
2. The State be divided into three patrol divisions: Southern Division, Coastal Division and Central Division, as shown on Map I, in this report.
3. Supervising inspectors be assigned to command patrol divisions.
4. Supervising inspectors be provided with offices and limited office personnel.
5. District inspectors continue to command patrol districts.
6. Patrol districts be reduced to the smallest number consistent with service to their areas.
7. Captains continue to command squad areas.
8. The boundaries of squad areas be determined on the basis of efficient operation, disregarding county lines.
9. Squad areas be reduced to the smallest number consistent with efficient field operations.
10. The position of sergeant be continued.
11. The Highway Patrol Manual be revised to state specifically the authority and responsibility of each level of command.
12. The chief assume full responsibility for patrol management.

SECTION II

Personnel Administration

Following the subject of organization, the following section will deal with specific recommendations on man power, personnel management and equipment needs. Topics will be discussed in that order.

A. PERSONNEL STRENGTH

The list of duties and responsibilities delegated to the patrol indicates the broad scope of patrol activities and demonstrates that it is intended to be a strong and effective agency in the prevention of traffic accidents and the control of vehicular traffic. Full effectiveness will be realized only

when the patrol has enough personnel strength, properly assigned by area and time, and efficiently directed and supervised. While direction and supervision result largely from internal administration, personnel strength is distinctly a legislative consideration.

The personnel recommended herein has been determined on the basis of the number of officers required to effectively perform the duties now assigned to the patrol. Since September, 1940, the patrol has used an Officers' Activity Report on which each officer records the time spent upon certain activities.¹ Table VI shows the average yearly number of officer hours used on each activity for the 1941-1945 period. A study of patrol operations and field conditions reveals that two situations existed—1, there is heavy competition for officer time with the result that 2, sufficient man-hours cannot be assigned to any one activity to permit proper performance.

Table VI also indicates the minimum number of hours which we conclude are reasonable for creditable performance. Under Item 1, Patrol Duty, we have included only the minimum time necessary for two activities—on-scene accident investigation and traffic law enforcement.

TABLE VI
Patrol Activities

Item	Activity	Av. No. Hours Expended 1941-1945	Estimated Hours Needed
1.	Patrol Duty	881,335	2,192,920
2.	Fixed Post	66,295	137,140
3.	Warrant Service	31,156	93,500
4.	Brief Investigation	15,210	23,360
5.	Accident Investigation	62,327	233,600
6.	Auto Theft Investigation	11,001	29,200
7.	Caravan Enforcement	1,583	46,800
8.	Commercial Enforcement	27,804	50,000
9.	Vehicle Inspection	5,228	46,800
10.	School Bus Inspection	13,184	20,200
11.	Special Highway Protection	15,443	20,340
12.	Escort Duty	45,417	30,000
13.	Safety Education	3,485	40,880
14.	Squad Meetings—Schools	35,417	73,000
15.	Court Duty	33,226	67,160
16.	Registration Duty	30,104	
17.	Office Duty	148,947	148,947
18.	Other Duties	162,191	131,400
19.	Administration—Field	79,830	146,000
20.	Administration—Office	86,511	46,720
21.	On Call	10,198	11,680
		1,765,892	3,598,647

No attempt has been made here, or under any other item, to include the time required for actual patrolling of the highways. The method used to compute the number of officers needed for accident investigation and enforcement is essentially the same as employed in our 1940 report on the Highway Patrol.²

It has been estimated that the minimum acceptable performance of these duties will require the expenditure of 3,598,647 officer-hours. This

¹ See Exhibits, pages 204-205, for definition of duties listed on Activity Report.

² See Exhibits, pages 205-206, for explanation of methods used.

is equivalent to 1,233 officers working eight hours every day of the year. Officers are not constantly on duty because of days off, holidays (actually, time is taken off for each holiday worked), vacation, sickness, injury and suspension. Each officer is off duty approximately 26.5 percent of the time. Following our practice of citing minimum figures, we use the corrected figure of 1.25 indicating a need for 1,542 officers.

This should be considered the minimum number of officers required. No attempt has been made to adjust personnel needs to the demands of highway coverage or to provide for 24-hour coverage of highways even where fully warranted by traffic volume and accidents.

Total Personnel. A headquarters staff of 23 officers has been recommended. Field command should include three supervising inspectors, 14 district inspectors and 55 captains. Thus, a total commissioned personnel strength of 1,637 is recommended.

The immediate need for controlling serious problems now facing the patrol warrants an early increase in patrol strength. Recruits should not be added to the patrol, however, faster than they can be properly assimilated. It is suggested that further recruiting be launched as soon as possible and that the patrol call up qualified applicants for training in classes not to exceed 50.

B. PERSONNEL CONTROL

The patrol administrator should establish the organizational framework which will carry out planned objectives while providing within this framework the levels of command and assigning personnel wisely. Patrol administrative authority and responsibility should be clearly established. Then management can turn its full attention to the development of effective plans that will advance the objectives of the organization.

Recruitment

Medical Examination. No applicant for the position of traffic officer should be considered unless he is in fine physical condition. While the State Personnel Board agrees with this position, applicants may now submit a certificate of physical examination signed by a private physician. Many states refuse to accept such certificates and require candidates to undergo a thorough examination under supervision of the State Board of Health. It is recommended that this procedure be adopted in California; that before an eligible list for the position of traffic officer is prepared, all candidates be given complete medical examinations conducted or supervised by the State Board of Health. Failure to meet specified standards should disqualify the applicant.

Age Limits. Under Section 18932 of the Government Code (Statutes of 1945, Chapter 123) the Personnel Board *may not* establish minimum or maximum age limits for any civil service examination, except in positions involving public health or safety. For these the board may set a minimum age limit, which, for the position of traffic officer is 21. A maximum age limit cannot be set and the board is forced to rely upon the severity of physical tests to eliminate men in higher age levels.

A study of the ages of present patrol personnel shows that the board has not been highly successful in eliminating older applicants. Table VII reveals that although 318 traffic officers have been on the patrol four

years or less, only 32 are less than 30 years of age and seven of them were over 40 when appointed.

Many considerations support the setting of both minimum and maximum age limits. For example, a maximum limit permits longer individual service; it attracts men before they become established in other professions; it discourages older men who have failed in other vocations and who might be attracted to the service for security reasons and it draws men eager to advance in the profession who are more adaptable to training and direction.

Enforcement officers should be selected from the 21-29 age bracket. It is recommended that applications for the position of traffic officer from men less than 21 or more than 29 years of age not be considered. Section 18932 of the Government Code (Statutes of 1945, Chapter 123) should be amended accordingly to permit the Personnel Board to establish both minimum and maximum age limits for civil service examinations in positions involving public health or safety.

Applicant Investigation. Section 18930 of the Government Code permits the board to determine the qualifications of applicants for state services. Examinations may be of different types including investigation of character, personality, education and experience. Thus, the Personnel Board is granted wide latitude in establishing the kind of examination necessary to recruit capable personnel. It has not as yet taken full advantage of the right to conduct or order character investigations of applicants before placing them in the patrol eligible list. It is recommended that this step be taken.

TABLE VII
Ages and Tenure of Traffic Officers, July 1, 1946

Tenure, years	AGES									Totals
	21-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	
1-4		32	164	96	19	7	--	--	--	318
5-9		5	47	82	16	--	--	--	--	150
10-14			8	34	44	42	17	4	--	149
15-19		--	--	4	36	42	29	9	1	121
20-24		--	--	--	2	13	9	3	--	27
25-29		--	--	--	--	1	1	1	--	3
30-34		--	--	--	--	--	--	1	--	1
Totals		37	219	216	117	105	56	18	1	769

Examination subject matter. Some attention is given by the board to testing an applicant's knowledge of police techniques and skills. The success or failure of the applicant should in no way depend upon such knowledge. Rather, the examinations should disclose, or tend to disclose, his mental competence and stability, his attitudes, abilities and physical condition. It is the duty of the board to turn over to the patrol the best raw material; it should be the task of the patrol to fashion this material into capable officers.

Standards now established and practiced by the Personnel Board, augmented by recommendations contained herein, should assure the patrol the highest type of recruit.

Probation

Examinations conducted during the recruitment stage can determine the applicant's physical characteristics, mental abilities and alertness. It is much more difficult to measure the desire to succeed, the courage to proceed in the face of criticism or danger, and such qualities as determination and resourcefulness. Nor can willingness to submerge personal considerations for the betterment of the service be measured beforehand. These attributes are revealed only by performance in the field.

This situation has been recognized by both the Legislature and the Personnel Board. Section 19170 of the Government Code (Statutes 1945, Chapter 123) provides for a probationary period of not less than six months nor more than one year. The board has established a six-month period.

Certainly, the aim of both Legislature and board is to make the probationary period reveal characteristics and abilities which can be adequately tested only by performance. Considerable evidence indicates that the present probationary period is not long enough since, in the first place, one or two months of this period is devoted to the training of the recruit. Obviously, work situations cannot be devised to test specific abilities or attitudes in the relatively brief period of probation remaining.

Within the patrol itself there is considerable belief that the probationary period should last for one year. This attitude results from experience. Too often major defects were not brought to light until after the expiration of the probationary limit.

The national trend in recent years has been to lengthen the probationary stage. It is recommended that it be lengthened to one year in California.

Unless the probationary period is properly used for dismissal of unfit recruits it will serve no practical end. Apparently, full use has not been made of this administrative device, partly because of two operational weaknesses: a. An inadequate personnel rating system; b. Action is taken in too few cases.

The present personnel rating form is considerably better than is the employment of it. Each member of the patrol is rated twice a year by his immediate commanding officer while probationers are rated every two months. Of course, each person who fills out a rating chart has his own standards. While one captain may give valid ratings to the men in his command, he may also employ higher or lower standards than another captain and in this way discriminate for or against his men. This is a weakness inherent in this type of report. The inspector in charge of the bureau of personnel should work with the Personnel Board in developing a rating form that will assure a more uniform analysis of patrol officers.

On many occasions probationers will reveal their unfitness for patrol service. Administrative policy should insist that action be taken to dismiss these men. In many cases mistakes of the probationer may be due to misunderstanding and improper application of principles; with proper supervision and direction the quality of his work should improve. However, since his actions influence the lives and welfare of so many persons continued incompetence should result in dismissal.

Probation has tended to become more or less a formality of civil service procedure because the probationer, under Sections 19174-5 (Statutes of 1945, Chapter 123), has about the same general protection

against dismissal as the permanent employee. This condition should be changed. The period of probation should be only a tentative period of service, with severance subject to the will of the appointing authority as provided for in Section 19173. We recommend that insofar as patrol probationers are concerned dismissal be governed exclusively by the provisions of Section 19173 and that Sections 19174-5 not apply; and that the patrol administrator make every effort to insure that only qualified officers become permanent members of the patrol.

Promotion

The California Highway Patrol, an organization of considerable size, operates within a large sphere, both geographically and functionally. Hence the scope and variety of patrol activity, in headquarters and in the field, demonstrates the necessity of having positions of command filled by officers with expert capabilities. Commanding officers should display a wide knowledge of patrol problems, policies, and responsibilities; the ability to direct and supervise men; the ability to make valid decisions; and the ability to direct all functions of their office in an efficient manner. Effective operation of the patrol depends upon the promotion of officers with these abilities.

All positions in the patrol are under State Civil Service. Thus responsibility for promotional procedure rests primarily with the State Personnel Board. The Government Code makes this clear, Section 18950 stating "Vacancies in positions shall be filled insofar as possible and consistent with the best interests of the State, by promotion from among persons holding positions of lower classes, and appropriate promotional eligible lists shall be established to facilitate this purpose." Section 18953 states, "By board rule, competition in promotional examinations may be limited to employees with permanent status who have superior qualifications as shown by their performance reports * * *."

It is a truism to state that the higher the level of command and the greater the authority and responsibility, the more vital is possession of police knowledge, leadership ability and administrative skills. Admittedly, the development of procedures which will disclose such disqualifications is difficult, but it must be accomplished if the patrol is to have quality of command personnel. Knowledge and the growth of abilities, of deep concern to the patrol, may be realized through its training program and through experience in patrol service. The prime responsibility of the Personnel Board lies in the use of methods which will measure the abilities of candidates for promotion. It is recommended that the Personnel Board continue to develop types of promotional examinations which can disclose the qualifications needed by all levels of patrol command.

Personnel Assignment

One of the duties of the patrol administrator is to control and direct patrol effort in a manner that will provide the necessary public security. The law, either now or as recommended, places specific obligations upon the patrol administrator. It is axiomatic that the authority vested in administration must be commensurate with the responsibilities.

The Legislature has also enumerated certain methods by which the patrol *shall* or *may* be organized for operation. For example, Sections 124 and 126 of the Vehicle Code states that the patrol administrator:

1. *Shall* make adequate provision for patrol of the highways at all times, both day and night.
2. *May* (a) create patrol districts for the efficient administration and enforcement of the code, and (b) adopt rules and regulations relative to all patrol activities.
3. *Shall* establish—with certain restrictions—headquarters or sub-stations for the efficient performance of patrol duties.

These powers were granted the patrol administrator with the intent of increasing the efficiency of patrol operations. Unfortunately, this design did not determine all legislation affecting patrol administration. In this connection a section of the code prohibits the patrol administrator from exercising a power which is essential to good administration and patrol efficiency.

Section 123 of the Vehicle Code states "No member of the California Highway Patrol, appointed to serve in any county, shall be assigned for service outside said country for a longer period than one week, except:

1. Pursuant to a request of a member for transfer; or
2. As necessitated by temporary traffic emergencies requiring an increase in the number of members in one locality or seasonal changes making expedient a decrease in the number of members in one locality but in such latter events no assignment shall be made for disciplinary purposes.

It is impossible to "make adequate provision for the patrol of the highways at all times" under such a restriction; and it is impossible to shift the forces of control in order to combat the ever changing problems of traffic control. If the patrol administrator is to be held responsible for the smooth operation of the patrol, he must be granted authority to mobilize all the forces at his disposal as he sees fit. Therefore, it is recommended that Section 123 of the Vehicle Code be amended, that restrictions now placed on the power of the administrator in the assignment and transfer of patrol personnel be repealed. However, the right to transfer personnel for disciplinary purposes should be denied.

Discipline

The problem of discipline is of primary importance in personnel management. Discipline is inseparable from morale and high morale aids operational efficiency. Observations made during this study indicate that, on the whole, patrol morale is good. Most expressions of discontent were caused by weaknesses in organization and management. Neither good morale nor discipline are self-sustaining; each must become a full-time objective of administration.

Provisions in effect under Article XXIV of the State Constitution provide for adequate disciplinary action against an employee by the

appointing power, and, at the same time, give protection to the employee. These provisions assure maintenance of both high morale and firm discipline. Section 19571 of the Government Code states that punitive action may be taken against any employee or person whose name appears on any employment list. Section 19572 defines acts which are just cause for disciplinary proceedings; for the purpose of patrol discipline they are sufficient and inclusive. Section 19576 provides for the immediate suspension of an employee without pay, pending the filing of charges by the appointing power or any person authorized by him. The appointing power also can maintain discipline through the power to suspend employees. As defined in Section 19501 the appointing power or any officer authorized by him may, for disciplinary purposes, suspend an employee without pay for a period not to exceed 30 days in any calendar year.

Although the control of disciplinary procedures lies primarily within an authority outside the patrol, the rules governing their application are not restrictive. In short, they permit the patrol to initiate disciplinary proceedings.

It will be noticed that provisions of the Personnel Board governing suspension and the filing of charges permit delegation of authority by the appointing power. Thus the patrol administrator may delegate this authority, or portions of it, to officers holding positions of command. A step in this direction already has been taken. General Order 339 provides that a captain of a squad area (upon the approval of his district inspector), or the head of a staff bureau, may suspend an officer for a period not exceeding 10 days. In this case a written report must be forwarded immediately to headquarters. It is recommended that General Order 339 be supplemented by other orders stating specifically the disciplinary authority for each level of patrol command, both in general headquarters and in the field. It is also recommended that the Personnel Board, within the limits of its authority, cooperate with the patrol in its disciplinary measures.

Training

If recommended changes in the present recruitment process are adopted, recruits possessing even higher qualifications than in the past should be selected. Before these men can be assigned to patrol tasks they must receive detailed instruction in all phases of their work. Frequent inspection and evaluation of personnel are necessary. The patrol will be unable to perform its function unless it receives all the advantages which come from an efficient training program.

Section 124 of the Vehicle Code gives the patrol administrator permissive authority to establish "a school for the training and education of the members of the California Highway Patrol in traffic regulation, their duties, and the proper enforcement of this code." Although the Legislature has thus recognized the importance of a patrol training school, the patrol has never received enough legislative support to assure a school of the first calibre.

The patrol has tried to maintain an effective training program, but lack of permanent and adequate training quarters and facilities has handicapped it. Although a full-time training staff was once developed, it was

later disbanded in the interests of economy. Even during the war determined efforts were made to continue a training program and all recruits attended school for at least four weeks. However, no in-service training classes have been held for several years.

Of the many factors necessary for a well-rounded patrol training program, the more important will now be discussed.

Full-time training staff. The planning and revising of all curricula; the supervision of all classes; the securing of competent instructors for all subjects; the care of all training equipment and facilities—these are a few of the duties which require the assignment of full-time officers to the training staff.

It has been recommended (page 147) that the inspector in charge of the Bureau of Personnel and Training have at least two officers to assist him with training activities. These officers should be selected because of their interest, qualifications and aptitudes for this type of work.

Housing. Development of a complete training program calls for sufficient building space. One or more buildings of proper construction and arrangement should accommodate staff offices, assembly hall, lecture rooms, trainee living quarters, dining room or cafeteria, locker room, indoor pistol range, gymnasium, equipment and supply space and other activities essential to the program.

The training school should be situated within a reasonable distance of patrol headquarters. The grounds should be ample not only for the erection of the building, or buildings, but for a motorcycle training course, pistol and rifle range, physical recreation areas and automobile storage space.

Sufficient equipment should be provided. Training aids greatly augment the teaching process and help students. A partial list of these aids would include: Moving picture projector, slide film projector, photographic dark-room, sand tables, demonstration rooms, maps, charts, and blackboards.

Types of Courses. The training of an officer is a continuing process, obtained through formal training periods and experience. The school should be based upon this premise, and offer courses to meet the needs not only of the new recruit but also of the seasoned veteran. In this way, it can assist both of them to become more efficient.

Recruit Training. The recruit should receive training in the basic skills and techniques required of a traffic officer. This course should last at least eight weeks. Each student should meet minimum standards of proficiency and deportment in all phases of the training program.

Recruit training classes should not contain more than 50 students.

In-service Training. The very nature of patrol service emphasizes the variety of the work. Duties and responsibilities change; policies and procedures must be modified to meet shifting conditions; the laws themselves are revised and the courts' interpretations vary; new laws are added to the code; and new techniques are developed to meet new situations. The patrol officer must keep abreast of these changes. Squad meetings, conferences, directives and bulletins are helpful but incomplete. There is a

definite need for periodic in-service training courses where the officer can sharpen his knowledge and learn of new developments.

Time allotted in-service training depends largely upon the amount of experience and previous training an officer has undergone. Recruits should be called in for a two-week refresher course at the end of their probationary period; all other officers should attend two-week in-service courses every two years.

Separate in-service classes for officers of each rank are preferable. Duties, responsibilities and techniques pertaining to each rank then may be discussed before those who would benefit most from such presentation.

Special Training Courses. Two types of special courses should be available to patrol officers: Those conducted by the patrol training school and those conducted elsewhere.

Members of the patrol can acquire much of the special knowledge, techniques and skills needed in their work from the patrol training school. School bus inspection and commercial vehicle enforcement, for example, come under this heading.

A number of schools throughout the country offer specialized instruction in certain phases of police work. Some of these courses deal with the traffic problem and police control methods. At such schools the officer not only benefits from nation-wide thinking and experience, but discussing common problems with police officers from other sections of the country is distinctly beneficial.

The Training of Local Police Officers. The patrol, of course, is not the only police organization in the State interested in traffic control. Every police department has specific responsibilities for the control of traffic within its jurisdiction. Many of these departments cannot afford to carry on an adequate training program but would be willing to take advantage of the opportunity to send their officers to the patrol training school. The services and facilities of the patrol training school should be available for the training of local police officers. The patrol should also furnish within limits and upon request, competent officers to assist local police in their traffic training programs.

These activities should promote better understanding of common police problems and assist in the development of coordination and uniformity of control effort.

ADMINISTRATION RECOMMENDATIONS

It is recommended that:

1. Patrol strength be increased to 1,542 sergeants and traffic officers for field activities.
2. Twenty-three officers be assigned to the staff bureaus at headquarters.
3. Supervising inspectors command each of the three patrol divisions.
4. District inspectors command each of the 14 geographical districts.
5. Captains command each of the 55 squad areas.

6. Recruits be taken from the eligible list in groups no greater than 50.

7. No name be placed on the eligible list unless the applicant has passed a medical examination given or supervised by the State Board of Health.

8. Minimum and maximum age limits, 21-29 years inclusive, be set for entrance to patrol service, and that Section 18932 of the Government Code (Statutes of 1945, Chapter 123) be revised to so provide.

9. The Personnel Board make a thorough character investigation of each applicant before preparation of the eligible list.

10. The probationary period be lengthened to one year.

11. The Patrol and the Personnel Board cooperate in revising the personnel rating form and in developing a more uniform rating procedure.

12. Probationers who fail to maintain minimum standards of proficiency and conduct, after being assigned to active duty, be dismissed.

13. The Personnel Board continue to study types of promotional examinations which will disclose qualifications needed in all levels of patrol command.

14. Section 123 of the Vehicle Code be amended, retaining only the provision that members of the patrol cannot be transferred for disciplinary purposes only.

15. General orders be issued by the chief stating specifically the disciplinary powers which may be exercised by patrol officers of the various grades.

16. The Personnel Board continue to cooperate with the patrol in its attempts to maintain strict, impartial discipline.

Training

17. A full-time staff of at least three officers be assigned to the patrol training school.

18. The Legislature provide the patrol with sufficient moneys to develop and maintain a permanent and adequate patrol training school, in terms of buildings, grounds and equipment.

19. The patrol utilize the services of qualified instructors from both within and outside the patrol.

20. All recruits be required to attend a training school for at least eight weeks, and that failure of any candidate to maintain minimum standards of proficiency and deportment be sufficient cause for immediate dismissal.

21. All traffic officers be required to attend a two-week refresher course at the end of their probationary period.

22. All other members of the patrol be required to attend a two-week in-service course every two years.

23. Special in-service training classes be conducted for officers of each patrol grade.

24. Members of the patrol be permitted and encouraged to attend schools offering specialized training for police officers.

25. The patrol training school, with instructors and facilities, be available for the traffic training of local police officers.

26. The patrol furnish, upon request, competent officers to assist local police in their traffic training programs.

C. EQUIPMENT

To function in an effective manner the patrol must have high performance equipment in sufficient amounts. Patrol equipment will be discussed under the following headings:

1. Housing
2. Mobile equipment
3. Accident investigation equipment
4. Intoxication testing equipment
5. Photographic equipment
6. Communication facilities

Housing. Patrol headquarters might well remain at its present location in the Motor Vehicle Department building until an increase in the functions performed by the department requires use of space now assigned to the patrol. When this occurs the patrol should be given adequate space and facilities in another place.

At present most patrol field offices are situated in buildings which also house other departmental activities. In many cases, the available space is inadequate. Moreover, there has been an inequitable allocation of space and such conditions hamper efficiency.

Separation of the patrol from the Department of Motor Vehicles may demand revision of the present departmental building program. Separation also should result in the development of a patrol building program. As housing needs of the patrol vary in some ways from those of any other state agency, they should receive special attention.

In order that patrol operations will not be affected adversely by the extent, or location of field offices, it is recommended that:

1. A building program be developed to provide adequate space and facilities for all patrol field command and area offices.
2. A determined effort be made to erect or obtain the use of buildings at locations most suitable for rural traffic law enforcement.
3. Pending the completion of such a building program, full consideration be given to fair allocation of office space among all divisions of the department.

Mobile Equipment. Table VIII shows both the amount of automotive equipment assigned to the patrol and the amount of radio equipment installed as of July 1, 1946.

TABLE VIII
Patrol Automotive Equipment as of July 1, 1946

Type	None	Radio Equipment		No. of Units
		1-way	2-way	
Automobiles -----	22	12	340	374
Motorcycles -----	8	426	1	435
Totals -----	30	438	341	809

Many patrol cars and motorcycles should be replaced. The difficulty of obtaining repairs and replacements during past years has worked some hardships upon the patrol.

Without automotive equipment, of course, the patrol would be useless and too few automotive units would result in a sharp decline in efficiency. The Legislature has, in the past, been generous in providing funds for the purchase and maintenance of automotive equipment; it is recommended that this policy be continued.

An increase in patrol personnel should be accompanied by an increase in automotive units. The number of officers of various grades recommended for field duty was based upon the premise that each officer would be highly mobile and capable of performing any patrol duty. To operate most effectively each officer should have at hand one unit of motor equipment. This would require 1,614 motor vehicles. At present,³ there are 913 members of the patrol with 809 pieces of motor equipment. This should be considered as a minimum number of units and the ratio of units to man power should not drop below this ratio of one unit per 1.13 officers, or 88.6 units per 100 officers. When total patrol strength is increased to 1,637, a minimum of 1,450 units of motor equipment will be needed.

Many factors influence the type of equipment most suitable for patrol use. Some of these are: Length of patrol beats or patrol areas, type and surface of roadway, road gradients, type and volume of traffic and nature of patrol activity. The patrol has now the experience and information essential for proper decisions as to type of automotive equipment required. Field experience and headquarters performance evaluations should determine the type of motor vehicles to be purchased for patrol use.

Even within the various types there are units with certain performance characteristics. Here, again, the patrol should list performance specifications for all automotive units, and these specifications should importantly influence the awarding of contracts.

Accident Investigation Equipment. This includes special equipment carried in patrol cars, in addition to that available at central points as aids to the investigation officer.

³ July 1, 1946.

It has been the policy of the patrol to assign to patrol cars certain equipment to assist the officer in accident investigation. This policy should continue. Minimum equipment should consist of:

100-ft. steel tape	Decelerometer *
Flares	Pinch bar *
First aid kit	Short handled broom *
Fire extinguisher	Tow chain *
Blankets	

Photographic and intoxication testing equipment also should be available to assure a complete investigation and to carry out fundamental traffic law enforcement.

Photographic Equipment. In accordance with present patrol policy one camera, with photographic equipment, is assigned to each squad area headquarters and is used by officers investigating fatal or serious traffic accidents. This equipment is employed with varying frequency and efficiency. In one area the district attorney gets photographic evidence from an outside agency which is notified by patrol officers to take pictures at crash scenes. This is an undesirable and unnecessary arrangement. In most other localities the securing of such evidence remains a duty of the enforcement officer. This routine should prevail throughout the patrol. For best results the investigating officer should have immediate use of a camera.

The patrol should undertake a study in all parts of the State to determine high accident districts. Photographic equipment could then be assigned to cars patrolling such districts.

Facilities vary for developing film and printing pictures. In some squad areas none are provided for the patrol and the work is done by commercial photographers; in other areas patrol dark-rooms are utilized. It is recommended that enough patrol dark-rooms, fully equipped, be made available to permit the speedy processing of all film taken by patrol officers.

Intoxication Testing Equipment. Testing the driver or pedestrian suspected of being under the influence of intoxicating liquor is both an important and a responsible duty of the police officer. It is important because of the number of accidents in which drunken drivers are involved (See Table IX); it is a responsible duty because of the gravity of the offense and the penalty attached to it.

Furthermore, it is the suspected person's right to be accused correctly. How to accomplish these objectives long has been a problem.

Admittedly, determination of intoxication is difficult. Therefore, the law should be specific and modern in its treatment, the prosecution should be fearless and sincere, and court action should be impartial and firm. Unless these factors exist enforcement action is ineffective.

Many pathological conditions have symptoms similar to those resulting from the drinking of intoxicants. To expect the police, or even a physician, to determine the cause of these conditions by observation alone is illogical. Such a procedure is antiquated, especially since scientific method for deciding intoxication has been formulated. Chemical tests now can ascertain the presence as well as the percentage of alcohol in the body fluids or alveolar air of a suspected person.

* Recommended but optional.

TABLE IX

Drivers and Pedestrians Who Had Been Drinking Involved in
Fatal and Personal Injury Accidents*

<i>Year</i>	<i>Fatal and personal injury accidents</i>	<i>Had been drinking drivers and pedestrians</i>	<i>Percent had been drinking persons</i>
1940-----	41,290	6,855	16.36
1941-----	48,948	8,468	17.29
1942-----	36,310	8,925	24.58
1943-----	34,320	8,652	25.20
1944-----	34,285	8,808	25.69
1945-----	44,696	11,431	25.57

* Annual Statistical Reports—Department of Motor Vehicles.

From this percentage the extent of inebriation at the time of the examination can be measured. Whether the substance analyzed is blood, urine, or breath, the result is expressed accurately in terms of percentage of alcohol in the blood.

Chemical tests thus protect the public and the defendant. The public is assured of exact, scientific police action; the driver may be certain that he will not be accused unjustly; and the officer, knowing that he has a sure method of identification, will be more confident in his approach to this problem.

Although city police officers in California are confronted with a greater intoxication problem than the patrol (See Table X), the rural problem is serious enough to deserve more attention than it has had in the past. Using 1945 data only, "had been drinking" persons were involved in 22.94 percent of the state's fatal accidents but only 18.37 percent of the rural fatal accidents. The word "only" is used solely in the comparative sense. Actually the rural drinking-driving problem is not only severe, but increasing. Using accident reports as a basis, the problem increased 43.5 percent in 1944-1945.

TABLE X

1945 Data*

	<i>State</i>	<i>Rural</i>	<i>Percent rural</i>
Total accidents-----	44,696	14,978	33.51
Fatal accident-----	3,705	1,763	47.58
H.B.D. drivers and pedestrians----	11,431	3,444	30.12
Fatal accidents involving H.B.D. persons-----	850	324	38.11

* Taken from Statistical Report, Department of Motor Vehicles.

Patrol activity, however, has not increased correspondingly. Table XI shows that the number of arrests for "driving while under the influence" of intoxicants has dropped to a dangerous low.

The patrol knows the advantages of chemical tests to determine intoxication but to use them it has had to depend upon the cooperation and generosity of the medical profession. Wherever physicians, clinics and laboratories were willing to make such tests, their services and facilities have been used by the patrol and other officers. Frequently this cooperation still continues. In other cases the amount of time devoted

to police cases, both in the laboratory and in court, was so great that curtailment or cancellation of the service resulted. In one district this was accomplished by charging a high fee for each police case.

Wherever such services are available, they should be used. However, effective enforcement of the "drunk-driving" sections of the code will not be achieved until the patrol adopts a method of chemical testing which can be performed by patrol personnel. Fortunately, such a method has been developed. In order to find the extent of intoxication of all suspects, it is recommended that the patrol adopt the breath-testing procedure.

TABLE XI

Patrol Arrests for Driving While Under the Influence of Intoxicants*

Year	Arrests
1940-----	7,346
1941-----	8,870
1942-----	7,972
1943-----	4,765
1944-----	4,027
1945-----	4,642

* Annual Statistical Reports—Department of Motor Vehicles.

Communications. Patrol communications between headquarters and field units are carried on through radio, teletype, telephone and the United States mail. Efficient patrol operations, including all enforcement and service phases, are greatly influenced both by the media of communications and by the speed and ease with which messages can be sent and received. Since patrol activities play such an important role in the daily safety of California citizens, the communications system must be such as to expedite these activities.

Radio. There is now no patrol radio net. The patrol is operating with a patchwork system composed of land stations belonging to various governmental jurisdictions. Of the 48 stations to which patrol receivers are tuned, 13 are patrol-owned and operated, 24 are owned by sheriffs, eight by city police departments, two by the Division of Highways and one by the state police of an adjoining state. That the system operates as effectively as it does under this set-up is a tribute to the patrol and the cooperating agencies.

The development of a state-wide patrol radio net is complicated—in its technical and financial aspects—by the size and topography of the State. The money available for the development of radio facilities has been used, in our opinion, judiciously. That is, definite progress has been made toward the planned objective of a patrol network.

At the time of this study, the Governor's Radio Advisory Committee was making a study and preparing a report on the radio facilities needed by various agencies of the State Government. The recommendations contained in this report should receive careful consideration, especially those which would require the development of a state-wide radio net capable of meeting the needs of the patrol.

Teletype. The patrol is now closely linked with the State Teletype System which also serves other agencies of the State Government as well as local jurisdictions. As a result, the system frequently is clogged with messages, and patrol operations are, upon occasion, adversely affected.

More strict supervision of teletype use would relieve some of this congestion; this is as true of patrol messages as of others.

Development of a state-wide radio net will not cut down the importance of the teletype system. Many messages sent by the latter cannot be broadcast and the patrol will continue to be dependent upon the teletype for the transmittal of these messages. Use of the teletype has increased greatly in the past few years; undoubtedly it will increase even more as service functions of the patrol and the Department of Motor Vehicles are developed further. The present system, obviously, will be unable to meet this sharpened demand. Steps should be taken now toward planning the enlargement or modification of the present system or toward the installation of a separate system which will provide the patrol with the service it requires.

EQUIPMENT RECOMMENDATIONS

It is recommended that:

Housing

1. A building program be developed in order to provide adequate space and facilities for all patrol field command and area officers.

2. Patrol field offices be located at places most suitable for rural traffic law enforcement.

3. Pending the completion of such a building program, full consideration be given to an equitable allocation of present office space for departmental activities.

Automotive Equipment

4. With the increase in patrol personnel, the number of automotive units for patrol use never be permitted to drop below the ratio of 88.6 units for each 100 patrol officers.

5. The type of automotive units purchased for patrol use be in keeping with the wishes of the patrol command.

6. The patrol be permitted to list the performance specifications of all motor vehicles purchased for patrol use.

Accident Investigation Equipment

7. Certain accident investigation equipment be assigned to each car used on regular patrol. This equipment to include:

- | | |
|------------------------|-------------------------|
| a. 100-foot steel tape | f. Decelerometer* |
| b. Flares | g. Pinch bar* |
| c. First aid kit | h. Short handled broom* |
| d. Fire extinguisher | i. Tow chain* |
| e. Blankets | |

Photographic Equipment

8. Additional cameras be secured and assigned to cars on regular patrol in high accident frequency areas.

9. A sufficient number of dark-rooms, with adequate facilities, be made available to permit the speedy processing of all film exposed by patrol officers in the course of duty.

* Recommended but optional.

Intoxication Testing Equipment

10. The patrol adopt the breath-test method of testing chemically for intoxication, that breath-testing equipment be made available on the basis of need, and that officers be trained in testing procedures and techniques.

Communications

11. The communication needs of the patrol be met by the installation of adequate radio and teletype facilities.

SECTION III

Problems of Integration and Operation of the Traffic Control Program

The preceding portion of this report deals specifically with fundamental state enforcement needs. Unless these needs are met in greater measure than at present enforcement will not and cannot become an effective traffic and accident control factor.

Should the minimum recommendations contained in this report be filled, enforcement in the State will be materially improved; it is, however, only one segment of the official state traffic control program. While efficient enforcement operations are effective in themselves, they in turn must be integrated with many other official activities of the State. Discussion of these follows:

DEPARTMENT OF MOTOR VEHICLES

The nonpolice functions of this department are great potentials for traffic control. Some of these activities are service functions which should be available to other state and local agencies; in others the department exercises control directly over motor vehicle owners and operators. The standards of performance of both types of activities should be substantially raised.

Motor Vehicle Registration. Upon the effective administration of this function depends the establishment and maintenance of rules and procedures governing the classification and registration of all motor vehicles, the yearly registration of such vehicles, the determination of standards for vehicle equipment necessary to safe operation and the maintenance of files, data and information to assist in the efficient enforcement of all pertinent sections of the code.

Services which should be provided enforcement agencies of the State pertain mainly to identification of motor vehicles and their registered and legal owners. The maintenance of records which will make such information available readily requires a substantial clerical staff and adequate filing systems. Such adequate facilities are not now available; consequently requests for information cannot be answered promptly. This is particularly true during the months following the renewal period.

Driver Licensing. Driver licensing includes both service to other governmental agencies and direct control of the licensed operator. Proper performance of these activities will expedite greatly the proper enforcement of the code and will exert a tremendous influence on the entire problem of highway safety through better driver training, selection and control.

The Legislature has granted the department wide authority and responsibility in the licensing and control of motor vehicle operators. On several occasions facilities have not been provided for the performance of specific responsibilities. Three instances are given, one a service activity and two a licensing function.

Section 281 of the Vehicle Code grants the court permission to suspend the license of any person convicted of specified offenses, the length of suspension varying from 30 days to six months *depending upon the number of prior convictions for these offenses*. To adjudicate properly cases appearing before him, the judge must have the defendant's driving and conviction record. Division of Driver License files do not yield this information now for the reason that the clerical staff is too small.

Although driver licensing is a relatively new method of controlling the motor vehicle operator, it has, in many states, proved most effective. A criterion of effective licensing is the administration of drivers' examinations. Tests given to all original applicants should clearly indicate their ability to operate a motor vehicle safely. At this point the undesirable and the unfit should be discovered.

The Vehicle Code grants the department authority for an adequate examining procedure—Section 268 lists the abilities and characteristics subject to testing; Section 267 states that each original applicant *shall* be examined; and Section 287a declares that the department *may* make examination a prerequisite for renewal of licenses.

The department examines each original applicant in addition to persons seeking renewals, if, in the opinion of the examiner, this is warranted.¹ Unfortunately, the department is too under-staffed to give valid examinations. In the Ninety-third Fiscal Year when 1,087,977 licenses were issued, there were 155 examiners. During the Ninety-seventh Fiscal Year, 1,601,054 licenses were issued by 152 examiners. In the official language of the department²—"The Division (of Drivers' Licenses) is now staffed to handle only about 1,000,000 licenses annually or about 83,000 per month. Some months during the last (97th) fiscal year the totals ran between 140,000 and 150,000. If 1,600,000 licenses were issued during the year by a staff equipped to handle only 1,000,000, it may safely be assumed that the quality of examinations given both original applicants and applicants for renewal suffered marked deterioration."

Abandonment of a sound examining procedure will inevitably result in unqualified persons being licensed to operate. This condition will be reflected in a higher accident rate. Considering only the economic loss resulting from accidents, the state's interest would be best served by providing the department with a staff large enough to properly perform the licensing function.

Chapter 2, Division 12 of the Vehicle Code gives undesirable protection to vehicle operators and hinders prompt and equitable enforcement of the code. For one thing, most operators, arrested for violations of code sections, are allowed at least five days to appear in court if they make a written promise to appear. Many persons violate this written promise; this results in the issuance of warrants and the serving of them, if possible. Under this system the citizen having a permanent home, property

¹ See Table XII, page 207.

² Report Covering Activities of the Department of Motor Vehicles, July 1946.

or position within the State is called to account but the itinerant or visitor frequently escapes without penalty.

Section 278b of the code attempts to force the violator to appear in court by providing that when "any person has for a period of 15 or more days wilfully violated his written promise to appear * * * the department shall suspend the privilege of such person to operate a motor vehicle * * *"³

In 1941 the department began to enforce this section, but the extra work thus created in the Sacramento office of the department took up the full time of 26 clerks. This was such a large percentage of the clerical time available that the regular functions of the department suffered and after 10 months this activity was necessarily abandoned. During this period 6,841 licenses were suspended for failure to appear and of these 3,712 were cleared by the end of the year.

It is recommended therefore that: (1) The sections which place such restrictions upon the arresting officer should be carefully reviewed, and (2) the department should be provided with an adequate clerical staff and facilities to perform effectively the functions required by Section 278b.

TRAFFIC LAW ENFORCEMENT

We have described certain minimum changes which are essential if the California Highway Patrol is to operate soundly. Police action is only one phase of enforcement; it must be supplemented by intelligent, courageous prosecution and by impartial and firm court action. The history of the development of criminal procedure emphasizes the gradual separation of these fundamentally different activities. In the adjudication of cases arising from enforcement of motor vehicle laws, this trend has not only been arrested but reversed. Prosecuting officers are frequently indifferent to these traffic responsibilities, the burden of prosecution falling upon the police. This is an unhealthy situation.

It is the duty of the district attorney to prosecute all cases stemming from violations of the statutes. The general welfare of the citizens of the State is influenced to a great extent from violations of the Vehicle Code. The importance of the prosecution of traffic cases cannot be over-emphasized.

The district attorneys, or their representatives, must prosecute all violations of the Vehicle Code where a not guilty plea is entered and the case goes to trial if a fair and equitable program of traffic law enforcement is to be developed in the State.

Patrol officers must, in most cases,⁴ cite offenders to justice of the peace courts. This justice system was created to meet conditions which do not now exist. As a means of dispensing justice, these courts had lost their effectiveness before the advent of the motor vehicle; since that time the great burden placed upon them by rural traffic law enforcement has only emphasized their inadequacy.

This situation does not pass unnoticed in California. Senator Randolph Collier, Chairman, Joint Fact-Finding Committee on Highways, Streets and Bridges, has requested the Judicial Council, through the Honorable Phil S. Gibson, Chief Justice of California, to make a study

³ For penalties assessed operators for other reasons see Table XIII, page 207.

⁴ cf., Vehicle Code, Section 739.

of and report on the "inferior courts" of the State, especially as they apply to the adjudication of traffic cases. We concur in the need for such a study and commend it to the Legislature as a matter of first magnitude in the public interest.

COORDINATION OF TRAFFIC POLICE ACTIVITIES

The basic purpose of traffic law enforcement is to encourage voluntary obedience to laws and ordinances enacted for the protection of all users of the highways. The level of enforcement must be raised to the point where operators and pedestrians practice self-discipline and conformance. The accomplishment of this objective demands coordination of effort by all enforcement personnel.

Several situations indicate the need for greater coordination and uniformity of traffic control activities by police agencies. Four of these are:

1. The universality of the problem is evident to those studying the state's traffic volume and accident experience. The problem exists throughout the entire road net although elements vary with the location.
2. The state-wide traffic problem consists of the sum of the problems of all local areas.
3. Traffic problems do not begin or end at political boundaries. Within a metropolitan area there is only one over-all problem, regardless of the political boundaries it may embrace.
4. There is now substantial uniformity of traffic laws and regulations, but there is not uniformity of application. Uniform handling of violators by police in various jurisdictions, and uniform police policies, procedures and techniques are required. The operator traveling from one jurisdiction to another is often confused by different types of controls, differing levels of enforcement, and varying quality in officer-violator contacts.

Many obstacles stand in the way of complete coordination and uniformity of traffic police activities. A few of the more important ones follow:

1. The gravity of the traffic problem is not, even now, fully recognized by all police executives and traffic administrators.
2. No police department has sufficient personnel to assign such a number of officers to traffic activities that maximum reduction of the problem will result.
3. In spite of present conditions, some agencies erroneously believe they are now operating with full effectiveness.
4. The number of police agencies is in itself a deterring factor. This is best illustrated in Los Angeles County where there are 45 municipalities, the sheriff's department and the highway patrol, each carrying on more or less independent programs of enforcement.
5. Each local police agency must operate within county or city boundaries.

6. Each agency has its own internal problems, personnel, equipment and facilities peculiar to its own situation.
7. There are great differences in the amount and quality of training provided police personnel. This results not only in the application of different procedures but in the use of different terminology explaining phases of police problems, operations and accomplishments.

Although these difficulties are serious they are not insurmountable; they should not continue to forestall synchronized police action. Such action cannot be dictated from above. It must come from a common and sincere desire to do the best possible job with available tools; to share experiences with others; to be willing to learn from the experiences of others; and to work harmoniously with others.

To get the desired degree of coordination and uniformity of police policies and procedures will require considerable time, and will be influenced by varying conditions and personnel. The following program is outlined as a basis for the development of such a coordinated program:

1. Become thoroughly acquainted with the Official State Traffic Control Program.
2. Meet regularly with executives and administrators from neighboring jurisdictions so as to:
 - a. Coordinate traffic planning and training.
 - b. Develop mutually acceptable traffic enforcement policies.
 - c. Work out joint assignment for traffic enforcement officers which will necessitate coordination of efforts between:
 - (1) City and county agencies.
 - (2) County and state officers.
 - (3) State and city departments.
 - d. Develop operational coordination:
 - (1) Locally, by use of a coordinating officer, following the example already set in Los Angeles County and the East Bay area.
 - (2) State-wide, by cooperation with Coordinating Committee of State Officials, the Governor's Law Enforcement Advisory Committee and the State Police Chiefs' Association.
 - e. Jointly, through coordinators, evaluate program results.

The patrol should assist fully in the development of this program, taking the initiative where necessary to coordinate police action. The major portion of the patrol's traffic problem is in territory contiguous to population centers; hence, the patrol should be much interested in both the quantity and quality of traffic control in these areas.

The traffic is similar in both jurisdictions. For example, the operator driving south on Western Avenue or Figueroa Street in Los Angeles may not be aware of the fact that he has left the city and entered the county. The width and surface of the roadway remain the same, surroundings are similar, the volume of the traffic does not change and the driver sees no reason to operate differently. It follows that traffic should be subject to the same type of controls on both sides of this political

line. Regardless of the type of uniform worn, officers should exert the same influence, use essentially the same procedures in enforcing laws in a uniform manner and obtain the same level of enforcement effort. Such uniformity is never won through chance; it is the result of complete cooperation of thorough planning, training and supervision and the proper assignment of sufficient personnel, trained to its tasks.

Considerable success has resulted from activities of Enforcement Officers' Associations in Los Angeles County and the East Bay area. The organizing of similar associations in other areas of the State would assist materially in the development of coordination and uniformity in local traffic law enforcement.

DEVELOPMENT AND CONTROL OF THE OFFICIAL STATE TRAFFIC CONTROL PROGRAM

The First Traffic Safety Conference was held in Sacramento on May 1, 1946. Called by Governor Warren, the conference formulated recommendations which the California delegation could take to the President's Highway Traffic Safety Conference, held in Washington, D. C., May 8-9-10, 1946.

Governor Warren named a Coordinating Committee of State Officials to prepare and submit a plan for a state-wide traffic control program. Again at the call of the Governor, the Second Traffic Safety Conference was held on June 7, 1946. California representatives to the President's Conference reported on the conference findings. The chairman of the Coordinating Committee of State Officials then presented the committee's report on a recommended state traffic control program. This program was adopted by the conference.

Thus there has been developed an Official California Traffic Control Program. The objectives stated in this program are those of the President's Conference, and are entirely sound.

However, a statement of broad objectives, however desirable, is not sufficient. Machinery must be devised and policies established for translating objectives into action. Certain steps have been taken in this direction. The Director of the Department of Motor Vehicles, who is also chairman of the coordinating committee, has recently created a Bureau of Accident Prevention, one duty of which is "to set up and conduct a state-wide traffic safety program in cooperation with organizations interested in safety, and with other public agencies."⁵

The adoption, by a representative group of officials and citizens, of the Action Program of the President's Conference and the creation of a Coordinating Committee of State Officials charged with activating the official program are important achievements. Equally important steps must now be taken to consolidate these gains and to assure accomplishment of program objectives; the organizational structure should be completed, staffed and financed; procedures of coordination and integration of activities should be developed; and procedures providing for evaluation of traffic control operations and program development should be established.

A full-time, paid executive secretary should be furnished the coordinating committee. The position should not be filled by one holding office

⁵ Interdepartmental Memo, M-114, June 17, 1946.

in one of the operating agencies. The office should attain such prestige as to assure the proper coordination of all operating agencies; the executive secretary should represent the Chief Executive of the State. It is recommended that the position be filled by appointment by the Governor and that the executive secretary be permitted to select a small staff of assistants.

The duties to be performed by the executive secretary should include, but not be limited to, the following:

1. Develop a detailed program incorporating the recommendations of the President's Highway Safety Conference.
2. Provide continuity of program direction.
3. Assist the committee in developing operational and procedural policies.
4. Assist all operating agencies in developing mechanics of cooperation and integration of activities.
5. Promote interest and participation in the program among civic and commercial organizations.

The above recommendations can be carried out only after receiving favorable consideration by the Legislature. The present incomplete structure, charged with coordinating and effecting the official traffic control program, and with giving direction to and securing coordination among official control agencies, must be completed and given official status and financial support.

It is not desirable for the State to underwrite the entire cost of all state traffic safety activities. Local organizations and governmental units, which are or may become interested in traffic control, will continue to support their own local activities. However, the State is obligated to finance its own projects, to provide for their effective coordination and to furnish nonfinancial assistance to other agencies in the development of the official program. It is recommended that the Legislature allocate sufficient funds for the Executive Secretary of the Coordinating Committee of State Officials and his staff.

The California Legislature has been foresighted in creating two committees authorized to study and submit recommendations on aspects of the motor vehicle transportation situation in the State. Each committee has secured the services of outside agencies to assist it in this task. It is, therefore, recommended that the Senate Interim Committee on Governmental Reorganization and the Joint Fact-Finding Committee on Highways, Streets and Bridges make available to the Coordinating Committee of State Officials the reports submitted to them by agencies employed to study various phases of automotive transportation within the State. Thus, the coordinating committee can incorporate in the official traffic control program recommended policies and techniques.

RECOMMENDATIONS FOR THE INTEGRATION AND COORDINATION OF TRAFFIC CONTROL ACTIVITIES

It is recommended that:

1. The Legislature provide funds for the Department of Motor Vehicles which will permit adequate services to other official agencies and better control of the motor vehicle operator as provided by law.

2. District attorneys, or their representatives, prosecute all cases arising from violations of the Vehicle Code where a not guilty plea is entered and a trial ensues.

3. The preliminary report of the Judicial Council be supported to the end that a thorough going study of the inferior courts of the State results.

4. Police agencies in the State cooperate in the employment of their traffic personnel and facilities in the development of a state-wide uniform enforcement program, as follows:

a. Become thoroughly acquainted with the Official State Traffic Control Program.

b. Meet regularly with executives and administrators from neighboring jurisdictions so as to:

(1) Coordinate traffic planning and training.

(2) Develop mutually acceptable traffic enforcement policies.

(3) Work out joint assignments for traffic enforcement officers which will necessitate coordination of effort between:

(a) City and county agencies.

(b) County and state officers.

(c) State and city departments.

(4) Develop operational coordination:

(a) Locally, by use of a coordinating officer, following the example already set in Los Angeles County and the East Bay area;

(b) State-wide, by cooperation with Coordinating Committee of State Officials, the Governor's Law Enforcement Advisory Committee and the State Police Chiefs' Association.

(5) Jointly, through coordinators, evaluate program results.

5. The services of a full-time, paid executive secretary be furnished the Coordinating Committee of State Officials.

6. The position of executive secretary be filled by appointment by the Governor.

7. The Legislature allocate sufficient funds for the executive secretary and his staff.

8. The executive secretary be delegated sufficient authority to allow for actual executive direction of traffic control activities whenever necessary.

9. The Senate Interim Committee on Governmental Reorganization and the Joint Fact-Finding Committee on Highways, Streets and Bridges make available to the Coordinating Committee of State Officials the reports, or approved portions thereof, submitted to them by agencies employed to study various phases of automotive transportation within the State in order that the coordinating committee may incorporate in the official traffic control program recommended policies and techniques.

SECTION IV

Legislation

The performance of governing agencies is controlled and influenced by "outer" forces of many kinds and varieties. This is particularly true of traffic policing. A traffic police agency might be established in accordance with the soundest principles of organization. Its administration may leave nothing to be desired. Yet such an agency can fail unless it has the fullest support by the many "exterior" factors which determine police action. Thus, good traffic policing depends upon the establishment of sound motor vehicle registration. It relies to a large extent upon the sufficiency of driver licensing and the controls established over the driver. It is dependent upon sound and enforceable rules of the road. No traffic police agency can hope to operate efficiently unless it is granted essential enforcement authority. And, however well it may perform its allotted tasks, much of the value of its enforcement operation is determined by the quality of prosecution and adjudication. Over all the exterior factors directing the success or failure of police action are the twin forces of cooperative effort among governing agencies participating in traffic direction and control and the full support of the public. While the many internal changes recommended in this report can and will improve the quality and quantity of traffic enforcement in California, they cannot in themselves produce a safe, fluid highway traffic condition.

Because of the significant influence of outer factors on patrol operation, it is deemed necessary in this concluding section to turn attention to one of the principal exterior factors which influences patrol operations; namely, motor vehicle legislation. The discussion is indicative, not inclusive, for comprehensive evaluation of outer factors constitutes a study in itself and one which is beyond the range of this survey. This study deals specifically with the administration and organization of enforcement. In order to point out some of the important legislative problems affecting patrol operation, we must examine the number of areas of operation defined in the California Vehicle Code. The code is the primary guide to traffic action. It is the authority on the registration of motor vehicles, licensing of drivers, rules of the road, and the process of police action. This being the case, the code has been examined to determine whether or not police action could be further improved by changes in sections of the code not previously referred to in the study. A number of procedures was employed to disclose such inadequacies.

The first step consisted of informal though comprehensive discussions with members of the patrol and the department—both at headquarters and in the field. Discussions were conducted with patrol members of all ranks from the patrolman to chief and director. The second step was to study judicial decisions and the opinions of the Attorney General in order to observe whether or not the problem of enforcement as described by line officers were attributable to inadequate legislation or to omissions or commissions by the administrative agencies. The third step was reading of the holdings of the Motor Vehicle Department's administrative adviser and the administrative orders issued from the office of the director of the department and the chief of the patrol. In this way, departmental attitudes could be observed clearly. The fourth step was a com-

parative analysis of provisions in the Vehicle Code with provisions in the Uniform Vehicle Code.

That series of uniform codes now known collectively as the Uniform Vehicle Code is the most carefully considered and systematically prepared treatment of motor vehicle legislation available. First editions were prepared originally in 1925-6 by the National Conference on Street and Highway Safety in cooperation with the National Commissioners on Uniform State Laws. They were reviewed and revised by the National Conference on Street and Highway Safety in 1930, in 1934, in 1938 and again in 1944.¹ In each case revisions were based upon thorough studies by men of exceptional competence in their respective fields, fortified by systematic examination of current needs. Thus, comparison of provisions of the Vehicle Code with those of an excellent "model" act has important value in disclosing particular legislative acts not in accord with recommended provisions. Where such variations coincide with observed difficulties in the State, there is ample evidence that serious attention should be given to change.

The writers of this report worked with the Office of Legislative Counsel, which prepared a section by section comparison of Acts II and V of the Uniform Code with the California Vehicle Code. Act II deals with driver licensing, Act V with regulation of traffic on highways. Our purpose here is to synthesize the findings of the Office of Legislative Counsel and to incorporate certain salient facts from our own studies relative to specific provisions of the Vehicle Code which are causing enforcement difficulty.

In comparing the Vehicle Code with the acts we shall employ the same legends as did the Office of Legislative Counsel for purposes of brevity and clarity. Five legends were utilized: S.D., S.S., N.C.P., Cal., and Sim. Where a provision of the code is substantially different from the act provision dealing with the same subject matter, the legend "S.D." is employed. Where respective provisions are substantially the same, the symbol "S.S." is used. "N.C.P." means that the Uniform Act contains a provision that has no comparable provision in the code. "Cal." means that there is in the code a provision not found in the Uniform Act but is germane. "Sim." indicates that a particular code provision is similar to that in the act but contains certain significant differences.

Definition of words and phrases is of exceptional importance in the field of law. Comparison of definitions in the code and the acts discloses that of 31 definition sections of the Vehicle Code, 23 are in substantial agreement with act provisions and eight are similar.² The acts contain, however, a number of definition sections which are not found in the code.³ There are sufficient variations to warrant review of code definitions. It is recommended also that the various definition sections of the code be more logically grouped together than at present. Grouping of definitions in the acts is an excellent guide.

Issuance of operators' and chauffeurs' licenses is governed by Ch. 2 of the code (Sections 265-279), suspension and revocation in Ch. 3

¹ The Uniform Vehicle Code is published by the Public Roads Administration under authority contained in the Federal Highway Act (42 Stat. 212) approved Nov. 9, 1921.

² Sections of the code in substantial agreement with the acts are: 31, 32, 32.5, 46, 47, 48, 54, 65, 66, 67, 69, 70, 71, 72, 81, 82, 82.5, 84, 85, 86, 87, 88, 89. Sections which are similar are: 33, 34, 36, 37, 38, 44, 83, 90.

³ These sections of Act V are: 7b,c, 8a,m, 9, 10b, 12, 13, 14e,g, 15b, 19a,b,c.

(Sections 291-298), Ch. 4 (Sections 299-317), and Ch. 5 (Section 320). Comparison of Vehicle Code and act provisions discloses marked differences in content and principles of control. Of 63 sections and subsections of the Vehicle Code (Ch. 2-3-4-5) on which some comparisons were made 27 were cataloged as "S.S." by the Legislative Counsel, 32 by "Sim" and 4 by "S.O." In addition there are more than 40 sections or subsections of the code which do not have comparable provisions in Act II.⁵ Note also there are a number of provisions in Act II which are not contained in the Vehicle Code.⁶

Such differences as these are brought to light in order to point out the need for a careful study of Vehicle Code provisions and the need to harmonize them with the Model Acts. A specific example may be seen in a comparison of Section 332 of the Vehicle Code with Section 38 of Act II. Both relate to penalties for driving while license to drive has been suspended or revoked. On the surface the two provisions appear similar. Actually they are fundamentally different. The Vehicle Code states:

"Any person who drives a motor vehicle upon a highway when such person has been refused a license by the department or after his operator's or chauffeur's license or his driving privilege has been suspended or revoked is guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for not less than five days nor more than six months or by fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) or by both."

While the Model Act provision reads:

"Any person who drives a motor vehicle on any public highway of this State at a time when his privilege so to do is suspended or revoked shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment for not less than two days nor more than six months and there may be imposed in addition thereto a fine of not more than \$500."

Now, for a comparison of the two provisions:

The Vehicle Code provision specifies that on conviction *either* a fine *or* imprisonment (or both) can be imposed. No one form of punishment is mandatory. Thus under California law one who drives while his license is revoked or suspended can satisfy judgment by fine alone. But this is by no means so under the Model Act provision. *Imprisonment* is mandatory upon conviction with imposition of fine a possible addition to the penalty. The emphatic difference in penalties is obvious. Where fining only is possible, the way is opened for important weaknesses in enforcement, for fining alone does not supply the deterrent that is necessary in prohibiting from driving those whose licenses have been revoked or suspended. Because of this the value of driver licensing as an important control device is seriously impaired. It is recommended that a change be made in Section 332 of the Vehicle Code to make it conform with Section 38 of Act II.

This is one of many examples which indicate the need of a systematic comparison of Vehicle Code provisions with those of the Model Acts. Word for word identity is not essential, but basic similarity of principle is requisite. Need for uniformity and the hazards resulting from the

⁵ Sections of the code in substantial agreement: 250, 261a,b, 252, 256, 258, 269b,f, 270a,b, 271c, 273, 274b,c,d, 279, 302, 303, 304(1), 314b, 334, 335, 336, 337, 338, 353. Sections which are similar are: 253, 254, 258.1, 259, 265, 267, 268, 269d,e, 269.1, 271, 272b, 274a, 295, 298, 304a(1)b, 305, 306, 307d, 310a, 311, 314a, 317, 320, 331, 332, 333, 352, 354a,b. Provisions of the code substantially different are: 257, 276, 276.5, 277.

⁶ There appears also to be a considerable number of sections and subsections of the Vehicle Code not identifiable with sections of Act II: 270b, 254a,d,e, 255, 268.2, 259.1, 266, 269a,c, 271.5, 278, 291, 292, 293, 294, 296, 297, 304 (2-3-4-5-6-7), 307a,b,c, 308, 309, 310b, 312, 313, 314c, 314.5, 315, 316, 320, 339, 350, 351, 355.

⁷ Sections of the act are: 17b, 18b,c, 26b, 27, 32b, 38b.

lack of it were emphasized in the President's Highway Safety Conference, and comprehensive attention was devoted to the necessity for uniformity of legislation in the *Report of the Committee on Laws and Ordinances*. Particular attention should be called to the seven-point statement of advantages and necessity for uniform traffic regulations on pp. 4-5, the exposition of hazards resulting from lack of uniformity on pp. 6-9, and the basic conclusions discussed on pp. 10-16. Thus, while there are doubtless some licensing conditions or other traffic problems which are peculiar to California and might necessitate provisions differing from those of the acts, such differences should be minor only. Where significant variations from act provisions exist elsewhere, they are in many instances influenced by pressure interests. Unquestionable improvement in driver controls will ensue in California if present legislation is changed to match act provisions in all their fundamentals.

The importance of the driver license issue cannot be overemphasized. In many respects the key to traffic safety lies in the screening out of unqualified drivers at the time of license application and the establishment of an alerting system of supervision over drivers whose conduct on the road demonstrates that the driving privilege should be suspended or revoked. The finest traffic policing cannot insure traffic safety so long as incompetent and lawless drivers are permitted use of the streets and highways. Although study of driver licensing was not a part of this survey, observations made indicate the need for much improvement. In part, the difficulty may be traced to code provisions. In part, apparent weaknesses in driver controls through licensing may be attributed to inadequate budgets provided for driver licensing as previously discussed. In part, such weaknesses may also be attributed to a lack of judicial sustenance of the basic principles of suspension. It is strongly recommended that a thorough study of driver licensing be undertaken and means employed to alleviate present shortcomings.

It has been indicated previously how important the rules of the road are in a traffic control program. Rules of the road constitute not only the foundation for police action but are *the* guides to traffic behavior. They legislatively determine what driving and pedestrian acts are deemed to be contrary to safe traffic practices and their violation forms the controlling base governing police action. If critical traffic practices are not recognized as such by law, police action in controlling them is necessarily throttled. If enactments are unenforceable by the police, prosecutors and courts because of wording, confusion of issues or other factors, the hands of enforcement are tied. It cannot be stressed too strongly that good and enforceable rules of the road are the foundations of sound traffic action and this in turn is the basis of safety and security on the highways. Hence the following consideration of California's rules of the road as promulgated in Divisions 9 and 9A of the Vehicle Code. We shall first draw a comparison of provisions of the code with comparable subjects in Act V of the Uniform Vehicle Code and then will turn attention to certain of the Vehicle Code sections which are sources of enforcement difficulty.

As in respect to previous sections of the Vehicle Code, marked differences in content and principles of control were noticed when code provisions were compared with corresponding subjects in Act V of the Uniform Vehicle Code. Some sections were substantially the same, others

were only similar, and so on.⁷ The Legislative Council's reports indicate that there are some 30 sections or subsections in Act V, the contents of which are not to be found in the Vehicle Code.⁸ And in addition quite a number of Vehicle Code sections were not subject to clear comparison with act provisions.⁹ Such indications of extensive differences lead to the conclusion that rules of the road sections of the Vehicle Code should be thoroughly studied and revisions made.

That revisions are advisable was further indicated by the many problems disclosed in conversations with patrol officers and members of the Motor Vehicle Department. Note the sections of the code dealing with reporting of accidents (Sections 480-57). Good reporting of accidents is the foundation of accident prevention, and unless the proper authorities are advised of accident occurrences, a vital cog in the enforcement program is missing. The prime difficulty is that proper reports are not forthcoming. In part this may be attributable to omissions in legislation, in part to weaknesses of the public and officials, in part to a not too fully-developed system of collecting and distributing reports. It is recommended that careful attention be devoted to synchronizing the Vehicle Code provisions with those of Act V (Sections 39-49) and of considering the study now being undertaken by the Motor Vehicle Department.

Sections 488 and 488.5 of the Vehicle Code deal with the confidentiality of accident reports. Section 488 is generally similar to Section 50 of Act V and is fundamentally sound. But this can by no means be said of Section 488.5, particularly with reference to the September 15, 1945 amendment. By this amendment all evidence of an accident secured through police investigation and the signed statements of all witnesses, save those signed by drivers involved, cease to be confidential at the expiration of six months after date of the accident. Time should never be made the essence of confidentiality and repeal of this limitation is urgently recommended. To that end Sections 488 and 488.5 should be reworded to conform to the requirements of Section 50 of Act V of the Model Acts. We also wish to call attention to the need for including in the Vehicle Code a provision calling for the submission of accident reports to municipal authorities and that the provisions of Section 52 of Act V be set up in a new section of the Vehicle Code.

At the meeting of the Assembly Interim Committee on Transportation and the Advisory Committee on Motor Vehicle Legislation held January 5, 1946, it was advocated that a thorough study be given to the

⁷ The "S.S." sections are: 450, 451, 452, 453, 457, 458, 459a,c,d,e,g, 459.1b, 465, 466, 473, 474, 477, 482b, 483, 485, 486, 487, 506, 513, 516a, 525b,c, 526, 527, 528, 530, 531a, 533, 540, 542, 543, 544, 545, 546, 550, 551, 553, 554, 560b, 562a, 563b, 570, 572, 575, 576, 577, 586, 595, 596, 597, 601, 604.

The "Sim." sections are: 454, 459.4, 472, 475, 476, 480, 481, 482a, 484, 488, 488.5, 489, 502, 505, 510, 511, 511.1, 511.2, 511.4, 511.5, 511.6, 511.7, 514, 516b, 525a, 529, 531b, 531.5, 560a, 561, 562b, 563a, 571, 582, 583, 584, 584.1, 585, 585.1, 585.2, 587, 587.5, 588, 590, 598.

Subjects in which code provisions were substantially different (S.D.) are: 516c, 511.3, 599. Then there are sections in the Vehicle Code which have no comparable sections in Act V. Code sections are: 459b, 459.1a, 459.2, 459.3, 501, 525.5, 565.

⁸ They are the following sections of Act V: 22d, 27(5), (7), (8), (10), 29, 31b, 34d (2), 34e, 35, 52, 53, 54b, 59, 62, 70, 75, 91, 93, 95, 96, 97, 98, 100 (3)b, 102, 104c,d, 105, 107, 109, 119.

⁹ Finally there were a considerable number of Vehicle Code sections which were ranked by the Legislative Council as S.S., Sim., S.D., or Cal.: 454.2, 459f,h, 465.5, 465.6, 465.7, 468, 468.2, 469, 470, 471, 471.5, 478, 503, 504, 511.9, 512, 512.1, 512.5, 515, 515.3, 531.2, 532, 541, 552, 555, 560.5, 564, 586.1, 586.5, 589, 589.5, 591, 592, 592.1, 596.4, 596.5, 599.5, 600, 602, 603, 604.2, 604.10, 605, 605.2, 606, 606.2, 607, 607.1, 607.2, 607.4, 607.6, 607.7, 607.8, 608, 608.2, 608.4, 608.6, 609, 609.2, 609.4.

subject of drunken driving. Such a study is definitely needed, for all evidence points to the critical traffic problem wrought by the drinking driver and pedestrian. In many jurisdictions justices of the peace refuse to receive complaints under Sections 501-502—the driving under the influence provisions. In some instances, patrol officers are by-passing code sections and are arresting under a county ordinance. Another of the significant difficulties lies in the omission in state law of provisions relative to the use of chemical tests to determine intoxication. It is strongly recommended that such an addition be included in the form of Section 54 of Act V of the Uniform Code.

Statutory prohibitions and regulations relative to speed are always a source of difficulty. On the one hand it is recognized that mobility is one of the invaluable contributions of the motor vehicle and that maximum possible swiftness of movement consistent with safety should be legislatively permitted. That speed must be kept within the boundaries of driving action required by public security is unquestioned. To this end, use of three basic controls is necessary: Maximum speed limits, zoning, and *prima facie* limits.

There are many difficulties in the way of effecting maximum vehicle movement compatible with safety. In part the problem lies in legislation, in part to lack of patrol equipment, in part to the nonsupport of prosecutor and judge. Sections 510 and 511 of the Vehicle Code are not sufficient. It is suggested that attention be given to the wording of Sections 56-59 of Act V of the Uniform Code.

Overtaking and passing often lead to highway accidents. Difficulties are created by a number of factors. One is the complexity of the roadway structure, comprised as it is of two-, three- and four-lane highways. (See Table XIV). Another is the habit of many drivers of keeping to the center of the roadway—a situation which often compels an overtaking motorist to pass on the right. A third is the difficulty of legally requiring motorists to keep to the right on four-lane highways. For example, one magistrate dismissed a case on the ground that the Vehicle Code does not *require* traffic to drive in the outside lane on multiple-lane highways except on three-lane highways where the center lane is for passing only. The ruling was sound in view of Section 525 which requires only that vehicles shall be driven on the right *half* of the roadway except in given situations. It is recommended that Chapter 7 of the Vehicle Code dealing with driving on the right side of highways and overtaking and passing be adjusted to match with the provisions of Art. VII of Act V of the Uniform Code.

TABLE XIV

State Highways.

6 lanes—	34 miles
4 lanes—	873 miles
3 lanes—	469 miles
2 lanes—	12,224 miles (approx.)

Two other problems were called to our attention. Double passing is not uncommon. Yet potentially dangerous as it is, there is no legislative provision making it unlawful. In practice, patrol members must book either for reckless driving or for not sounding horn or some other minor infraction. The hazard of double-passing warrants separate attention legislatively. Another accident problem relates to Section 627. As an

example: A truck was parked within a restricted zone on Route 131 in Yettum. A car ran into the truck, and the occupant of the car was killed. Investigation showed that parking was done without lights. However, the defendant's attorney sought the prosecutor and pointed out that lights were not required under the terms of Section 627. The prosecutor then changed the charge from manslaughter to driving without an operator's license. Note the provisions of Section 136 of Act V in its legislation on the problem.

We have described thus far some of the rules of the road problems which face those responsible for enforcement of the law. This listing of some of the sections that require attention is by no means complete. Our purpose here has been to direct attention to the necessity for a thorough study of legislative needs and revisions of code sections in line with needs. We have made no effort to mention all legislative changes required, for such study is beyond the scope of this survey.

The continuity of effective enforcement is determined by the surety and dispatch with which the accused are brought to trial and penalties in accordance with the law are assessed the guilty. Otherwise due process of law becomes a phrase and not a fact. Unquestionably one of the fundamental problems in the traffic law enforcement procedure in this Country is to assure that due process is fulfilled in all cases where a citation or notice of arrest is issued. This can be aided greatly by the enactment of legislation which will: (1) Make it a misdemeanor to dispose of a traffic ticket in any way except by the appearance in court of the defendant and/or the entering of the disposition on the court docket in open court, and (2) make it mandatory for the state fiscal officer to be responsible for the accounting of all citations issued by patrol officers and the publication of such data. The fiscal officer should be as responsible for the accounting of such tickets as he is for state funds.

Such an enactment will serve to freeze unlawful cancellation of tickets, fix responsibility for the proper maintenance of traffic ticket operation, provide for the proper accounting of the issuance and disposition of all citations, and permit the defendant to be represented in court. Enactments to these ends have been adopted and are working effectively in many municipalities where problems of enforcement are essentially similar to state operation. Such legislation is needed to insure the continuing validity and future integrity of state-wide traffic law enforcement in California and we urge that such legislation be made effective.

These, in brief, are some of the problems which call for legislative action. In our opinion, the process of traffic law enforcement will be greatly furthered if serious attention is given to a critique of present Vehicle Code provisions with a view in mind of remedying the difficulties that now prevent good enforcement.

RECOMMENDATIONS FOR LEGISLATION

1. The California Vehicle Code be revised to incorporate the standards contained in the Uniform Vehicle Code.
2. Legislation be enacted making it a misdemeanor to dispose of a traffic citation or notice of arrest except as provided by law, requiring a periodic audit by the state fiscal officer of all traffic citations issued by members of the patrol, and providing that the audit report be publicized.

EXHIBITS

TABLE I

Motor Vehicle Registration*

<i>Year</i>	<i>New and prior nonresidents</i>	<i>Percent change</i>
1940 -----	397,661	-
1941 -----	459,833	15.6
1942 -----	521,836	13.4
1943 -----	585,021	10.1
1944 -----	669,973	14.5
1945 -----	762,596	13.8
1946 -----	794,243	4.1
(6 mos.)		over 12 months 1945

* Data from Division of Registration, Department of Motor Vehicles.

TABLE II
California Accident Data*

	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946
Number of deaths { State total -----	3139	2775	2870	3034	3615	2671	2789	2703	3705	1290
} Rural total -----	1636	1450	1529	1621	1980	1353	1356	1367	1958	700
Percent rural -----	52.11	52.25	53.27	53.42	54.77	50.65	48.61	50.57	52.84	54.26
Total fatal and personal injury { State total -----	37,968	36,643	38,242	41,290	48,948	36,310	34,320	34,285	44,696	13,930
} Rural total -----	10,321	10,454	12,039	13,296	16,736	11,211	9,451	10,315	14,978	5,816
Percent rural -----	27.18	28.52	31.53	32.20	34.19	30.87	27.53	30.08	33.51	41.75

* From Bureau of Statistics, Department of Motor Vehicles.

** Estimated

TABLE III
Rural Traffic Deaths in California*

Month	1944	1945	Change	Percent change	1946	Change	Percent change
January -----	101	115	14	13.9	176	61	52.2
February -----	90	110	20	22.2	188	78	70.9
March -----	79	154	75	94.9	195	41	26.6
April -----	82	118	36	43.9	142	24	20.3
May -----	102	116	14	13.7	141	25	21.6
June -----	96	139	43	44.8	155	16	11.5
July -----	114	153	39	34.2	157	4	2.6
August -----	146	207	61	41.8			
September -----	136	200	64	47.1			
October -----	127	230	103	81.1			
November -----	139	207	68	48.9			
December -----	155	209	54	34.8			
TOTALS -----	1,367	1,958	591	43.2	701	203	40.8
					(4 mos.)	(4 mos.)	(4 mos.)

* Data from Bureau of Statistics, Department of Motor Vehicles.

TABLE IV

Year	Persons Killed	U.S.	Calif.	Percent
1935 -----		36,369	2,806	7.71
1936 -----		38,089	3,132	8.22
1937 -----		39,643	3,139	7.91
1938 -----		32,582	2,775	8.51
1939 -----		32,386	2,870	8.51
1940 -----		34,501	3,034	8.79
1941 -----		39,969	3,615	9.04
1942 -----		28,309	2,671	9.11
1943 -----		23,823	2,789	11.70
1944 -----		24,282	2,703	11.13
1945 -----		28,500	3,705	13.00

TABLE V

Data Indicating Various Aspects of California's Motor Transport Problem

	California	Illinois	New York	Pennsyl- vania
Square miles -----	158,693	56,400	49,576	45,333
Rural road mileage -----	97,946	104,458	84,004	87,837
1944 Motor fuel ----- (1,000 gallons)	1,479,544	985,938	1,777,620	1,019,750
1945 Mileage rate ----- (fatal accidents)	15.3 (40-41)	11.2 (40)	10.2 (40-41)	9.1 (41)
Cost of state enforcement -----	3,181,232	1,600,000	2,742,864	4,588,000
1940 Population -----	6,907,387	7,897,241	13,479,142	9,900,180
1945 Population rate ----- (fatal accidents)	40.1	20.6	13.7	15.0
Enforcement cost per 1,000 population -----	460.63	202.61	203.48	461.61
1944 Registered motor vehicles --	3,036,630	1,737,425	2,359,025	1,928,074
Enforcement cost per 1,000 regis- tered motor vehicles -----	1047.49	921.12	1102.33	2379.66
Receipts per vehicle ----- (1945)	9.66	12.49	17.77	13.61

The following explanation of various duties was effective for period covered by this report. Some changes in rules governing the filling in of Officer's Daily Activity Reports are now in effect.

TYPE OF DUTY*

1. **PATROL DUTY.** Patrol duty is defined as hours spent and miles traveled by the officer patrolling a beat assigned by the commanding officer, in accordance with the location, hourly frequency, etc., of accidents. This shall also include hours spent and miles traveled preparing for and executing "Traffic Checks."

2. **FIXED POST DUTY.** Fixed post duty shall include all duty where the officer is assigned to a fixed post for the purpose of regulating traffic congestion or other stationary duty and mileage traveled to and from such post.

3. **WARRANT SERVICE.** Warrant service shall include the hours spent and miles traveled by an officer in serving or attempting to serve a warrant where such service or attempted service takes the officer from regularly assigned patrol duty as defined in paragraph 1. Time and mileage consumed in transporting prisoner shall be included.

4. **BRIEF INVESTIGATION AND SERVICE.** Brief investigation and service shall include all hours spent and miles traveled by an officer in investigation or service or attempted service of briefs, letters, or memorandums from the Division of Drivers Licenses, Division of Registration, Board of Equalization, etc., except those pertaining to auto theft, when such investigation, service, or attempted service takes the officer from regularly assigned patrol duty as defined in paragraph 1.

5. **ACCIDENT INVESTIGATION FOLLOW-UP.** Accident investigation follow-up shall include all hours spent and miles traveled by an officer on accident investigation. Except that should such accident occur on the regularly assigned patrol beat of the officer during his tour of duty, as described in paragraph 1, then such time as is spent by the officer at the scene of the accident shall be included as patrol duty under paragraph 1.

6. **AUTO THEFT INVESTIGATION.** Auto theft investigation shall include those hours spent and miles traveled by an officer in the investigation of auto theft cases when such investigation takes place other than on the regularly assigned patrol duty beat of the officer as described in paragraph 1.

7. **CARAVAN ENFORCEMENT.** This item shall include all hours spent and miles traveled by the officer in caravan enforcement work when such caravan enforcement work is not on the regularly assigned patrol duty beat as described in paragraph 1.

8. **COMMERCIAL ENFORCEMENT.** Commercial enforcement shall include all hours spent and miles traveled by the officer in commercial enforcement work when such enforcement work is not incidental to regular patrol duty as described in paragraph 1.

9. **VEHICLE INSPECTION.** Vehicle inspection shall include all hours of an officer spent and miles traveled on vehicle inspection work, including lights, brakes, and other unsafe mechanical defects which are not coincident to the regular patrol duty as described in paragraph 1.

10. **SCHOOL BUS INSPECTION.** School bus inspection shall include all hours and miles traveled of the officer devoted to this work, except any hours which may be spent on the regularly assigned beat coincident to the duties of patrolling as per paragraph 1.

11. **SPECIAL HIGHWAY PROTECTION.** This item shall include all hours spent and miles traveled by officers on special patrol duty, which assignments are not based on the rule laid down in paragraph 1 but for the purpose of giving special protection for vehicles and persons traveling the highway.

12. **ESCORT DUTY.** Escort duty shall include all hours spent and miles traveled by the officer in preparing for and serving as escort for any purpose.

* Covering rule states: Rule 3, "Type of Duty." In the column captioned "duty" will be inserted the number for a given type of duty as indicated by the list on the inside cover of this book. Example: If escort duty as defined under No. 12 has been performed for two hours on the 4th day of the month, then No. 12 shall be inserted in first blank space in column captioned "duty" and the figure 2 put in the appropriate date column and the miles traveled on that duty inserted on the same horizontal line under the appropriate day.

13. TRAFFIC SAFETY EDUCATION. Traffic safety education shall include miles traveled and all hours of the officer which are devoted to speaking at public gatherings, at schools, or preparing articles for publicity when so ordered. Likewise, shall be included all time spent in the care of exhibits at fairs, etc., and any other similar type of duty where the fundamental purpose is safety education.

14. SQUAD MEETINGS AND SCHOOL ATTENDANCE. This item shall include all hours spent and miles traveled by the officer in going to and from the place of squad meetings and inspections when such moving to and from shall not be regular patrol duty as described in paragraph 1. The time of the officer in attendance at the squad meeting or inspection shall be included under this item. Likewise, the time going to and from or attending the highway patrol training school, special school where permission has been granted for attendance on patrol state time, and schools conducted within the squad by the commanding officer shall be shown under this heading.

15. COURTS. This item shall include all hours spent and miles traveled by the officer in going to and from court attendance when such going to and from shall not be regular patrol duty as described in paragraph 1. It shall also include all hours spent and miles traveled by the officer in checking courts for disposition of citations or in any other manner, including testifying or waiting to testify.

16. REGISTRATION DUTY. Registration duty shall include all hours spent and miles traveled by the officer in this type of work other than those accounted for in brief service, paragraph 4, when such duties are not performed on the regularly assigned patrol duty beat as described in paragraph 1.

17. OFFICE DUTY. Office duty shall include all hours of the officer spent and miles traveled, if any, in clerical or other work at the office, when specially detailed to such type of duty by the commanding officer.

18. OTHER DUTY. Other duty shall include all other duty hours and miles traveled, if any, of the officer which are not included in any of the foregoing paragraphs.

NOTE.—Explanation of the type of duty shall be made on the reverse side of the report to cover each entry under this item.

19. ADMINISTRATIVE (FIELD). Shall include all hours devoted and miles traveled by district inspector, captain or sergeant to matters pertaining to the administrative portion of their duties in the field. Illustration: Personnel investigation, surveying traffic, checking officers on beats, etc.

20. ADMINISTRATIVE (OFFICE). Shall include all hours spent in office by district inspector, captain, or sergeant devoted to conferences, study of reports, planning and preparing reports, etc.

NOTE.—Time spent in actual clerical preparation of special reports or orders shall be included under paragraph 17.

21. ON CALL (RAIN). This item shall include all hours which officers spend at their homes or other places on call for emergency during storms. Time devoted to other duties during storms will not be included in this item but only that time when the officer is forced to remain inactive due to lack of proper type of transportation.

MANPOWER

The IACP, Traffic Division, has developed methods for determining the minimum number of city police officers needed to perform certain traffic activities. The effectiveness of these methods has been demonstrated in many cities of various sizes throughout the Country during the past several years. Estimation of minimum number of state officers needed to perform these activities is made by adjusting the formulae to state conditions. The following discussion follows in principle the reasoning contained in our report of the study made of the California Highway Patrol in 1940.

ACCIDENT INVESTIGATION

The number of city officers needed for on-scene accident investigation is found by using the following formula, where X equals the number of men needed and Y equals the number of fatal accidents per year.

$$X = \frac{Y}{5} \times 2 \text{ plus relief}$$

However, in cities, one fatal accident represents at least 185 other accidents. Nationwide experience indicates that for every fatal accident, there are approximately

35 personal injury accidents and 150 property damage accidents. (Thus, the accident frequency ratio is given as 1:35:150.) Higher speeds and other conditions of rural traffic results in a higher percentage of accidents resulting in loss of life than in cities. Nationally, the ratio of rural accidents is approximately 1:20:20. Considering certain characteristics of rural travel in California, it is estimated that a ratio of 1:15:20 is approximated. Thus, one fatal accident on the rural roads of California represents one fifth as many accidents as a fatal accident in a city. To investigate all accidents, one fifth as many men would be needed for the same number of fatal accidents. However, the rural officer faces difficulties not encountered in the city, such as: longer time needed to answer calls; as he frequently works alone, and assistance is ordinarily not readily available; it takes longer to arrive at the scene of an accident; longer time needed for investigations and for cars to reach the scene of the accident. A reasonable estimate is that it takes rural officers twice as long, on an average, to investigate accidents as it does the city officer. Including these factors in the formula, it becomes:

$$\text{Minimum number of officers needed} = \frac{\frac{Y}{5} \times 2}{5} \times 2 = \frac{4Y}{25}$$

TRAFFIC LAW ENFORCEMENT

Traffic law enforcement must be maintained at a level sufficiently high to act as a deterrent to violations and potential accidents. Experience in other states and the present state traffic problem indicates that the minimum enforcement index which will accomplish this is 10. The enforcement index is the ratio of fatal and personal injury accidents to the number of convictions, with penalties, secured for hazardous traffic violations. This means that there should be 10 such convictions for each fatal and personal injury accident occurring upon the rural roads. In this connection, experience must be taken of the fact that a certain number of arrests do not result in convictions. The minimum acceptable standard is that convictions should be secured in 80 percent of traffic cases.

The number of arrests needed to maintain an enforcement index of 10, where the yearly number of fatal accidents is represented by Z, can be indicated:

$$\text{Arrests for hazardous violations} = Z + (15Z) \times 10 + 10\%$$

To find the number of full time men needed to maintain this enforcement level, it is only necessary to divide the above by a number representing the arrests made by a typical officer in a year. Under the existing conditions existing in California—such as volume of traffic, weather conditions, climate and season—it is reasonable to expect that sergeants and traffic officers will, on an average, make two arrests for hazardous violations during each eight-hour tour of road duty, or 790 in the 365 days of the year. The above formula thus becomes:

$$\text{Men needed} = \frac{Z + (15Z) \times 10 + 10\%}{790}$$

TABLE XII
Driver License Examinations Given in 1946

	January	February	March	April	May	June	July
1. New applications -----	143,582	157,827	179,993	157,121	161,303	133,458	141,754
2. Original operator license -----	37,403	38,438	40,870	35,569	39,610	32,218	34,313
3. Original chauffeur license -----	7,720	6,415	8,072	7,441	7,655	6,805	7,983
4. Driving tests given -----	47,874	51,112	55,276	55,071	57,587	46,959	49,088
5. Percentage of 1 -----	33.34	32.38	30.71	35.05	35.08	21.99	34.63
6. Persons failing -----	26,192	27,328	31,244	32,600	34,940	29,353	31,645
7. Percentage of 1 -----	18.24	17.31	11.80	20.74	21.53	21.00	22.32
8. Examined by patrol -----	1,848	2,215	2,563	2,312	2,598	2,104	2,777
9. Percentage of 1 -----	1.29	1.41	1.42	1.47	1.60	1.58	1.96

In 1945, patrol officers examined 23,447 applicants, 1.8 percent of the total. They failed 8.3 percent—regular examiners failed 26.32 percent of applicants examined

TABLE XIII
Penalties Applied by the Driver's License Division

Year	Suspended (VC Sec. 307, 308, 410)	Revoked (VC Sec. 304, 305, 306)	Cancelled	Probation (VC Sec. 307)	Probation (VC Sec. 314)
1940	----- 15,806	2,214	839	8,491	45
1941	----- 20,221	2,702	1,901	9,529	84
1942	----- 12,263	2,515	1,175	10,986	115
1943	----- 11,063	2,519	956	10,189	105
1944	----- 9,417	2,620	1,326	8,476	201
1945	----- 11,818	2,725	1,188	8,215	268
1946 (6 mos.) -----	12,224	1,879	740	-----	192

MOTION TO PRINT ADDITIONAL COPIES OF REPORT

Senator Keating moved that 1,500 additional copies of the Report of the Senate Committee on Governmental Reorganization be printed, in 10 point type.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 7, 1947

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 3

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 7, 1947

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 4

Senate Concurrent Resolution No. 6

Senate Concurrent Resolution No. 7

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 8, 1947

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 2

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 7, 1947

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 6

Senate Concurrent Resolution No. 7

Senate Concurrent Resolution No. 8

Senate Resolution No. 14

Senate Concurrent Resolution No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolutions ordered to third reading.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Concurrent Resolution No. 4—Relative to the continuance of the Joint Legislative Committee on Agriculture and Livestock Problems created by Resolutions Chapter No. 141 of the Fifty-sixth Regular Session.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 6—Relative to the continuance of the Joint Fact-Finding Committee on Highways, Streets and Bridges created by Resolutions Chapter 133 of the 1945 Regular Session.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Swing, Tenney, Ward, Watson, and Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 7—Relative to a study by the Judicial Council of the administration of justice in the inferior courts in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 3—Approving an amendment to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof, at a special municipal election held therein on Tuesday, November 5, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 19: By Senator Breed—An act to amend Sections 10150, 10151, 10200, 10201, 10208, 10211, 10212, 10213, 10216, 10221, 10275, 10276, 10320, 10328, 10331, 10332, 10333, 10340, 10375, 10376, 10420, 10427, 10430, 10431, 10432, 10439, 10515, 10516, 10580, 10588, 10591, 10592, 10593 and 10600 of the Business and Professions Code, to add Sections 10156.2, 10208.5, 10208.7, 10213.5, 10213.7, 10279.2, 10321.5, 10328.5, 10328.7, 10333.5, 10333.7, 10379.5, 10420.5, 10427.5, 10427.7, 10432.5, 10432.7, 10519.5, 10581.5, 10588.5, 10488.7, 10593.5 and 10593.7 thereto, and to repeal Sections 10101, 10102, 10209, 10214, 10329, 10334, 10428, 10433, 10589 and 10594 thereof, relating to fees and licenses of the State Division of Real Estate of the Department of Investment, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Business and Professions.

Senate Bill No. 20: By Senator Keating—An act making an appropriation to the Department of Motor Vehicles for the improvement and mechanization of the registration and related financial and statistical

procedures of the Department of Motor Vehicles, to take effect immediately.

Referred to Committee on Transportation.

Senate Bill No. 21: By Senator Tenney—An act to add Section 6018 to the Revenue and Taxation Code, relating to the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 22: By Senator Tenney—An act to amend Sections 102, 108 and 128 of, to add Division 2A, comprising Sections 139 to 139.71 inclusive to, and to repeal Sections 111, 113, 116, 117, 119, 120, 121, 122, 123, 124, 124.1, 125, 126, 135, 135.5, 135.8, 484, 485, 486, 487, 488, 488.5 and 489 of, the Vehicle Code, providing for the reorganization of the California Highway Patrol, abolishing the Division of Enforcement of the Department of Motor Vehicles, establishing a Department of Highway Patrol and Safety and prescribing its powers, duties, purposes, and functions, providing for the transfer of records and property; and to make available money for the support of said department.

Referred to Committee on Transportation.

Senate Bill No. 23: By Senator Watson—An act to amend Section 752 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to elections of boards of education in cities of the fifth class, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 24: By Senator Keating—An act to add Article 4, comprising Sections 1620 to 1629, inclusive to Chapter 4 of Part 2 of Division 1 of the Insurance Code, relating to insurers.

Referred to Committee on Financial Institutions.

Senate Bill No. 25: By Senator Keating—An act to add Section 1662 to the Civil Code, relating to contracts for purchase and sale of real property.

Referred to Committee on Judiciary.

Senate Bill No. 26: By Senator Keating—An act to add a title heading numbered Title 1 to Part 3, comprising Sections 1708 to 1715, inclusive, of Division 3 of the Civil Code, and to add Title 2, comprising Sections 1716 to 1721, inclusive, to Part 3 of Division 3 of said code, relating to tort-feasors.

Referred to Committee on Judiciary.

Senate Bill No. 27: By Senator Keating—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws.

Referred to Committee on Judiciary.

Senate Bill No. 28: By Senator Keating—An act to add Section 578a to the Probate Code, relating to compromises and settlements by executors or administrators of claims, rights of action and actions for death by wrongful act.

Referred to Committee on Judiciary.

Senate Concurrent Resolution No. 12: By Senator Tenney—Relative to approving certain amendments to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in said county on the fifth day of November, 1946.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 12, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 12

Senate Concurrent Resolution No. 12—Relative to approving certain amendments to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in said county on the fifth day of November, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

CERTIFICATE OF THE SECRETARY OF THE SENATE

To the Members of the Senate:

This is to certify that I have this day received from the County Clerk of Kern County the following oath of office.

J. A. BEEK, Secretary of the Senate

Oath of Office of Senator Dorsey

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of

State Senator Thirty-fourth Senatorial District

according to the best of my ability.

JESS R. DORSEY

Subscribed and sworn to before me, this sixth day of January, A. D. 1947.
(SEAL)

R. J. VEON, County Clerk and Ex-Officio Clerk of Superior Court
County Clerk of the County of Kern, State of California
Received, Sacramento, California, January 7, 1947, 2:08 p.m.

FRANK M. JORDAN
Secretary of State, State of California

ADJOURNMENT

At 11.46 a.m., on motion of Senator Keating, the President declared the Senate adjourned until 11 a.m., Thursday, January 9, 1947, out of respect to the memories of the Hon. Andrew L. Pierovich, Hon. John B. Pelletier, and Glenn D. Willaman.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FOURTH LEGISLATIVE DAY

FOURTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, January 9, 1947

The Senate met at 11 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Garra, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Carter, on motion of Senator Powers, due to legislative business.

Senator McBride, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Desmond and Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. William A. Minson of Oakland.

On request of Senators Desmond and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. William Pickard of Los Angeles.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

STATE LANDS COMMISSION
SACRAMENTO 14, CALIFORNIA, January 2, 1947

To the Senate of the State of California

Pursuant to the provisions of Section 6211 of the Public Resources Code (formerly Chapter 800, Statutes of 1917), may we respectfully report that, according to advices received, certificates of title under the Torrens law were issued by the following counties in accordance with the tabulation below:

Alameda -----	201	San Bernardino -----	11,836
Fresno -----	112	San Diego -----	8,953
Humboldt -----		San Francisco -----	16
(No report for 1946; 384 for 1945)		San Luis Obispo -----	1
Imperial -----	80	Santa Barbara -----	2,032
Kern -----	191	Santa Cruz -----	426
Los Angeles -----	155,409	Sonoma -----	893
Merced -----	1	Tulare -----	117
Orange -----	11,191	Ventura -----	6
Riverside -----	384		

It will be noted that there are but 18 counties included in the above tabulation. The remaining counties have heretofore reported that there are not now and have not been in the past any Torrens title registrations in their respective counties.

The books of the State Treasurer, as reflected by his report for the fiscal year ending June 30, 1946, show a cash balance of \$48.96 in the "Torrens Title Assurance Fund" and a net deficit of \$7,470.35.

Respectfully submitted.

J. STUART WATSON, Acting Executive Officer,
State Lands Commission
By A. P. IRELAND

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 3
Senate Concurrent Resolution No. 12
Senate Concurrent Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 8

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 8—Relative to approving an amendment to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on November 5, 1946.

Request for Unanimous Consent

Senator Salsman asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 8, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 8

Assembly Concurrent Resolution No. 8—Relative to approving an amendment to the charter of the City of San Jose, a municipal corporation of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on November 5, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 8, 1947

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 9

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 3; absent 2.

POWERS, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 9, 1947

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 8

Senate Concurrent Resolution No. 9

And reports the same correctly engrossed.

POWERS, Chairman

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Concurrent Resolution No. 9—Relative to the continuance of the Joint Committee on Water Problems created by Resolutions Chapter No. 142 of the Fifty-sixth Regular Session.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 8—Relating to the purchase of an amphibian type of airplane for Division of Fish and Game, Department of Natural Resources.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen,

Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams 34.
 NOES—None.

Resolution ordered transmitted to the Assembly.

RESOLUTIONS

The following resolutions were offered :

By Senator Brown :

Senate Resolution No. 19

Relative to the continuance of the Senate Committee on Local Governmental Agencies, created by Senate Resolution No. 129 of the Fifty-sixth Regular Session

Resolved by the Senate of the State of California, As follows :

1. The Senate Committee on Local Governmental Agencies created by Senate Resolution No. 129 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

By Senator Ward :

Senate Resolution No. 20

Relating to the continuance of the Senate Interim Committee on Workmen's Compensation Benefits, created by Senate Resolution No. 34 of the Fifty-sixth (First Extraordinary) Session

Resolved by the Senate of the State of California, As follows :

1. The Senate Interim Committee on Workmen's Compensation Benefits created by Senate Resolution No. 34 of the Fifty-sixth (First Extraordinary) Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of six thousand seven hundred dollars (\$6,700) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund of the Senate and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 29: By Senator Mayo—An act making an appropriation to the Department of Finance for cost of advertising Veterans' Bond Act of 1946, to take effect immediately.

Referred to Committee on Finance.

Senate Bill No. 30: By Senator Crittenden—An act making an appropriation for the purchase of land for Stockton State Hospital, repealing Chapter 1460 of the Statutes of 1945, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance.

Senate Bill No. 31: By Senators DeLap and Hatfield—An act to amend Section 1187 of the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

Senate Bill No. 32: By Senator Mayo—An act making an appropriation for the purchase of additional property in the town of Columbia for state park purposes.

Referred to Committee on Natural Resources.

Senate Bill No. 33: By Senator Desmond—An act authorizing the sale of certain Folsom State Prison property to the City of Folsom, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Senate Constitutional Amendment No. 1: By Senators Hatfield, Brown, Sutton and Mayo—Proposed amendment to Article XIII of the Constitution, by adding Section 1.5, relating to the taxation of property owned by public districts.

Referred to Committee on Revenue and Taxation.

Senate Joint Resolution No. 1: By Senators O'Gara and Tenney—Relative to memorializing the President and the Congress of the United States in relation to providing funds to complete the Veterans Temporary Emergency Housing Program.

Request for Unanimous Consent

Senator O'Gara asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 1, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 1

Senate Joint Resolution No. 1—Relative to memorializing the President and the Congress of the United States in relation to providing funds to complete the Veterans Temporary Emergency Housing Program.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—35.
NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 9, 1947

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 10

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 9, 1947

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Senate Resolution No. 16

Senate Resolution No. 17

Senate Concurrent Resolution No. 11

Assembly Concurrent Resolution No. 2

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolutions ordered to third reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Concurrent Resolution No. 10—Relative to the continuance of the Joint Fact-Finding Committee on Un-American Activities created by Resolutions Chapter No. 143 of the Fifty-sixth Regular Session.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 21, of the printed resolution, strike out "five thousand dollars (\$5,000)", and insert "eight thousand dollars (\$8,000)".

Amendment read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Resolution No. 16—Relative to the continuance of the Senate Committee on the Postwar Construction Program created by Senate Resolution No. 121 of the Fifty-sixth Regular Session.

Resolved by the Senate of the State of California, As follows:

1. The Senate Committee on the Postwar Construction Program created by Senate Resolution No. 121 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed.

after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Senate Resolution No. 17—Relative to the continuance of the Senate Committee on Interstate Cooperation created by Senate Resolution No. 147 of the Fifty-sixth Regular session.

Resolved by the Senate of the State of California, As follows:

1. The Senate Committee on Interstate Cooperation created by Senate Resolution No. 147 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS

Senate Resolution No. 14—Relative to the continuance of the Senate Interim Committee on Prepayment of Medical and Hospital Care created by Senate Resolution No. 131 of the Fifty-sixth Regular session.

Resolved by the Senate of the State of California, As follows:

1. The Senate Interim Committee on Prepayment of Medical and Hospital Care created by Senate Resolution No. 131 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or

claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—32.

NOES—None.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 2—Relative to accredited press representatives and the authentication thereof.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

MOTION TO PRINT LETTER OF TRANSMITTAL AND REPORT

Senator Hulse moved that the following letter of transmittal be printed in the Journal, and that 5,000 additional copies of the Report of the Interim Committee on Agricultural Research Study, as it appears in the Assembly Journal of this date, be printed and delivered to the Senate.

Motion carried.

Letter of Transmittal

Report of Interim Committee Created by "An Act to Create an Agricultural Research Study Committee, Provide for Its Powers and Duties, and Making an Appropriation," Approved March 12, 1946 (Chapter 144, 56th (1st Ex.) Session

This interim committee was appointed to meet with and participate in the activities of the Agricultural Research Study Committee created by an act passed at the first extraordinary session in 1946 to study matters relating to research in agriculture and related industries.

The Agricultural Research Study Committee met a number of times and held hearings throughout the State. It received oral statements from 291 people representative of most of the 140,000 farms throughout the State. It received 179 written reports from industries, farm organizations, state and federal agencies, and individuals. Over 2,000 requests for research were recorded.

The Agricultural Research Study Committee has embodied the results of its studies and its recommendations in a Report on Agricultural Research in California to the Governor and the Legislature, and a supplemental report.

Your interim committee herewith presents said report and supplemental report and recommends that the same be printed as a public document.

Respectfully submitted.

SENATOR BEN HULSE
ASSEMBLYMAN GEORGE A. CLARKE
Interim Committee Members of the
Agricultural Research Study Committee

MOTION TO PRINT REPORT

Senator Hatfield moved that the Report of the Joint Legislative Committee on Agriculture and Livestock Problems, be printed in the Journal, and that 2,500 additional copies of the report be printed separately in 10 point type.

Motion carried.

LETTER OF TRANSMITTAL

Senate Concurrent Resolution No. 51 of the Fifty-sixth Session of the California Legislature created the Joint Legislative Committee on Agriculture and Livestock problems. This is a special and partial report of that committee upon the following subjects:

1. Beet Leaf Hopper Control
2. Plague Suppression in Field Rodents
3. Incipient Pest Survey
4. Market News Service Expansion
5. Weed Control Research
6. Changes in Egg Law
7. Poultry Meat Grading Law
8. Inspection of Rabbit Meat and Slaughtering Plants

Respectfully submitted.

GEO. J. HATFIELD, Chairman
THOMAS M. ERWIN, Vice Chairman
LLOYD W. LOWREY, Vice Chairman

GEO. A. CLARKE
JOHN F. THOMPSON
RALPH M. BROWN
GEO. BUTTERS

BRADFORD S. CRITTENDEN
BEN HULSE
H. J. POWERS
FRED WEYBRET
EARL D. DESMOND

SPECIAL REPORT OF

THE JOINT LEGISLATIVE COMMITTEE ON AGRICULTURE AND LIVESTOCK PROBLEMS

Appointed Pursuant to the Terms of Senate Concurrent Resolution No. 51 of the Fifty-sixth Session of the California Legislature, Covering the Committee's Investigations and Recommendations on Problems Involving:

1. Beet Leaf Hopper Control
2. Plague Suppression in Field Rodents
3. Incipient Pest Survey
4. Market News Service Expansion
5. Weed Control Research
6. Changes in Egg Law
7. Poultry Meat Grading Law
8. Inspection of Rabbit Meat and Slaughtering Plants

January, 1947

COMMITTEE MEMBERS

District 24—Senator George J. Hatfield, Chairman	}	Representing the Senate
District 25—Senator Fred Weybret		
District 39—Senator Ben Hulse		
District 19—Senator Earl D. Desmond		
District 1—Senator Harold J. Powers		
District 20—Senator Bradford S. Crittenden		
District 31—Assemblyman George A. Clarke	}	Representing the Assembly
District 50—Assemblyman Thomas M. Erwin (Vice Chairman)		
District 29—Assemblyman John F. Thompson		
District 3—Assemblyman Lloyd W. Lowrey (Vice Chairman)		
District 30—Assemblyman Ralph M. Brown		
District 77—Assemblyman George R. Butters		

To the Members of the Senate and Assembly:

Your Joint Legislative Fact-Finding Committee on Agriculture and Livestock Problems, appointed pursuant to the terms of Senate Concurrent Resolution No. 51, of the Fifty-sixth Session of the California Legislature, submits herewith the following report covering its investigation of

1. Beet Leaf Hopper Control,
2. Plague Suppression in Field Rodents,
3. Incipient Pest Survey,
4. Market News Service Expansion,
5. Weed Control Research,
6. Changes in Egg Law,
7. Poultry Meat Grading Law,
8. Inspection of Rabbit Meat and Slaughtering Plants, and
9. Imperial Valley Agricultural Research Needs.

Problem 1. Beet Leaf Hopper Control

Beet Leaf Hopper Control as considered herein is primarily directed to the control of weedy hosts which serve as off-season breeding areas and

as supplementary to the regular insect control program of spraying perennial hosts in the foothill areas on the west side of the San Joaquin Valley.

DISCUSSION

Beet Leaf Hopper Control, through spraying late fall, winter and spring concentrations in certain canyons and adjacent areas on west side San Joaquin Valley with insecticides has been effective in reducing intensity of beet leaf hopper flights into the northern end of the San Joaquin Valley and Sacramento Valley.

Constant checking of adjacent valley floor areas to observe host plant growth and off-season breeding of beet leaf hoppers has revealed the need each season for varying expansions of the regular spraying program to check breeding on such outside areas. This also involves a more complete suppression of weeds which serve to harbor the hoppers and the curly-top disease transmitted by them.

1945 was a bad year because outside spots had ideal growth and involved an increase in Beet Leaf Hopper population which could not be coped with because of insufficient money and machinery. This fall (1946) an emergency allotment from the Department of Finance permitted spraying outside hazardous areas (9,000 acres). This is indicative of the need for intensive control of Russian thistle and other weedy hosts to give more permanent effect to the winter spraying program.

RECOMMENDATIONS

Your committee recommends:

Since the Legislature has established a policy of cooperation in beet leaf hopper control as an aid to growers of sugar beets, tomatoes, melons, beans, flax, etc., through spraying certain perennial hosts for directly killing the insect concentrations thereon, on the basis that such perennial hosts upon which the insect regularly overwinters are located in remote protected canyon areas—

- (a) Away from cultivated areas;
- (b) On lands operated by livestock people who suffer no ill effects from beet leaf hoppers; and
- (c) Where spraying by individuals is impractical because of the nature of the areas involved and the type of equipment required;

(1) That the added problem of more permanent control of Russian thistle hosts growing upon land intermediate between the cultivated crop area and the regular over wintering points be undertaken to aid in more complete protection to the crops of the San Joaquin, Sacramento, and Salinas Valleys by removing host plants from areas of the San Joaquin Valley proved by seasonal inspections to serve as focal points for the beet leaf hopper to breed upon and spread from;

(2) That there be added to the appropriation for the State Department of Agriculture \$60,000 for conduct of a special weed control program (mainly against Russian thistle); and

(3) That wherever local official or private cooperation in such control program can be developed, that it be utilized to the greatest extent possible.

EXHIBITS IN THE APPENDIX

Exhibit No. 1

Persons Who Have Participated in Development of Recommendations on a Permanent Beet Leaf Hopper Program, 1946:

W. S. Everts, Cannery League of California

Arnold Frew, King City beet and tomato grower, and representing California Farm Bureau

Gordon Lyons and Wm. Helene, California Beet Growers Association

I. N. Robinson, Farm Bureau, State Tomato Section

Marshall Bond, flax grower in Coalinga area

Jack O'Neill, flax grower, West Side Fresno County

Lowell Bias, Robert T. Cochrane Co., Tracy

Leo A. Meyer, King City sugar beet and tomato producer

C. B. Costa, melon grower, Fresno County

C. B. Moore, Western Growers Association, Los Angeles

Ralph Taylor, Agricultural Council of California, Sacramento

Robert Wilson*, State Chamber of Commerce

Earl Coke, Spreckels Sugar Company

Loren Voth, Bakersfield, Chairman, Farm Bureau Vegetable Department

John Peters, sugar beet producer, Kern County

E. A. Schwing, entomologist for the Sugar Companies

Matt Triggs, California Farm Bureau

Bernell Harlan, tomato and sugar beet grower of Yolo County

Exhibit No. 2

Recommendations for a Long Range Program of Beet Leaf Hopper Control.

Exhibit No. 3

The Beet Leaf Hopper—Its Influence on Agricultural Production and Methods of Control.

Exhibit No. 4

Map Showing Areas Involved in Exhibits and Discussions Relative to Beet Leaf Hopper Control.

* Deceased.

Appendix

EXHIBIT NO. 2

Recommendations for a Long-Range Program of Beet Leaf Hopper Control

The beet leaf hopper is one of the most harmful of insect pests, not due to its own depredations, but because it is the primary vector for curly top, a virulent virus disease attacking sugar beets, tomatoes, cantaloupes, watermelons, honey dew and other melons, flax, spinach, small white beans, cucumbers, peppers, swiss chard, pumpkins, squash, beets, turnips, cabbage, various vegetable, flower and field crop seeds, and other minor crops.

This disease either kills plants completely or limits their growth so that yields are greatly reduced.

The major breeding grounds of the beet leaf hopper in Northern California are the eastern slopes of the Coast Ranges between the Salinas and San Joaquin Valleys from the Altamont Pass on the north to the Tehachapis on the south. From these breeding grounds, the hopper migrates in all directions for distances ranging from 10 to 250 miles, depending upon temperatures and prevailing winds.

The migrations of the beet leaf hopper occur during the months of April, May and June. In the late summer and fall months, the beet leaf hopper propagates and multiplies on certain host plants. During October and November, they return to the breeding grounds in the Coast Ranges where they over-winter.

Efforts to control beet leaf hopper numbers were first undertaken by the sugar processing companies. The objective of the sugar companies was to protect the major sugar beet producing areas, from the Sacramento Delta north, and from the Salinas Valley north to Napa. Beginning in 1931, the sugar companies undertook an annual program of spraying the breeding grounds and the eradication of host plants. In 1943, the spraying portion of the program was terminated because of the development of partially resistant strains of sugar beets, and because the sugar beet companies did not feel they should be called upon to carry the load for all susceptible crops.

In this year the work of spraying the breeding grounds was undertaken by the State Department of Agriculture as the result of appropriations by the State Legislature for this purpose. (\$15,000 per year in the biennium 1943-45; \$21,500 per year for the biennium 1945-47.)

Since 1943, the sugar companies have continued to police the areas in which they had previously controlled the host plants in order to keep the numbers of host plants to a safe level.

The area where host plants have been kept under control by the sugar companies consists of approximately the northern half of the breeding areas of the beet leaf hoppers. In the southern portion of the area, no effort has been made to reduce host plant numbers. Due to a favorable series of years, the number of host plants, particularly the Russian thistle, have increased tremendously in this southern area. This has caused the building up of beet leaf hoppers to the level that has resulted in very serious losses during 1946, totaling in the neighborhood of several millions of dollars in the San Joaquin and Salinas Valleys.

Conditions for the growth and propagation of the host plants and beet leaf hoppers have continued favorable through 1946. In order to

reduce the hazard of excessive crop losses in 1947, the additional amount of \$25,000 has been allocated from the Governor's emergency funds to undertake an expanded spraying program in this area this fall.

If no control work were done, all counties in the San Joaquin Valley would be seriously affected by the ravages of the beet leaf hopper practically each year; in the delta area and in the Sacramento Valley counties, moderate to serious damage would be occasioned each year; in the coastal area, from Los Angeles County north to Napa County, moderate to serious damage would be caused at periodic intervals. The work done by the sugar companies and the State Department of Agriculture has substantially limited damage in the coast counties, delta area, Sacramento Valley and portions of the San Joaquin Valley in recent years.

The most significant effect of the beet leaf hopper problem on California agriculture is not the actual damage sustained, although this is serious, but because substantial areas of the State are unable to grow susceptible crops due to the certainty or possibility of loss from early top infection.

Until recent years producers have avoided planting otherwise lucrative crops in many areas.

Losses which have been suffered in the last few years have been partially due to the change in land use which has occurred, for example, tomatoes in the King City area and melons, tomatoes and flax in the west side of the San Joaquin Valley.

Due to the expansion of susceptible crop production in new areas, and the influence of this expansion on the scope of the problem, a much more thorough and extensive program is needed.

The problem, which was once a sugar beet problem, has, because of the new pattern of crop production, become a problem of a great many crops and a great many producers of those crops.

A spraying program in an area where no host plant control program has been undertaken is of temporary character. The only permanent solution to the problem is the reduction of host plants to the point at which an annual policing job will keep such host plants under control. Under such conditions a supplemental spraying program will assure the prevention of crop losses.

That the control of host plants is an entirely feasible and economical procedure has been demonstrated by the sugar companies' work in the northern portion of the area. Control of Russian thistle is effective because of the relatively short viability of the seeds.

On the basis of estimates made by competent authorities it is estimated that this program could be accomplished under the following schedule of expenditures:

1. During the first two years, \$60,000 per year for host plant control plus an annual spraying cost equal to current appropriations for this work.
2. During the next two years, \$50,000 per year for host plant control plus an annual spraying cost equal to current appropriations for this work.
3. During the next two years, \$40,000 per year for host plant control plus an annual spraying cost equal to current appropriations for this work.

4. In succeeding years, \$20,000 per year to police the areas adjacent to the breeding grounds to prevent reestablishment of the host plants, plus an annual spraying cost not exceeding, and possibly less than, the current appropriations for this work.

These estimates are based upon present wage and materials costs.

The research work on this problem has been completed. Present knowledge of the problem is such that unanimous agreement exists among entomologists as to the proper means of attacking the problem.

The total cost of undertaking a comprehensive beet leaf hopper control program is relatively small in relationship to the total crop production which would be protected from curly top thereby and a small fraction of the losses which have been suffered by growers at periodic intervals.

On various occasions organizations and groups have sought to develop ways and means by which such a program might be undertaken. No machinery exists by means of which grower or industry assessments may be made for such purposes.

Since the source of the beet leaf hopper infestations are located at considerable distances from the major areas in which damage is caused, and on the property of other owners who are not themselves adversely affected, there is little opportunity for individual producers or groups of producers to take any effective action to protect themselves against loss.

This whole problem affects a very large number of growers producing a great many crops, the concerns engaged in processing and shipping of such products, the persons employed in such producing, processing and shipping concerns, and the general economy of substantial areas of the State.

In view of these considerations the problem takes on an aspect that is much broader than that of the interest of a small group, and becomes one of general public interest and concern.

Since production of many commodities in a number of areas of California is uneconomical because of the risk of crop loss by reason of curly top infection, a program of permanent control is of major significance in connection with an enlarged agricultural industry in the State in line with our increased population. The crops which are affected by curly top are relatively intensive crops providing a large measure of employment in agriculture and in related industries as compared with the more extensive crops which would otherwise be produced on these lands.

Maximum utilization of much of the land for which water will be supplied by the Central Valley Project will be dependent upon a comprehensive program of beet leaf hopper control.

In view of these circumstances may we respectfully recommend that consideration be given to the introduction of legislation which will provide for a program of beet leaf hopper control by means of host plant eradication, such program to be administered by the State Department of Agriculture from funds appropriated for that purpose from the General Fund or from funds accumulated from race track operations.

EXHIBIT NO. 3**The Beet Leaf Hopper—Its Influence on Agricultural Production and Methods of Control**

The beet leaf hopper is one of the most harmful of insect pests, not due to its own depredations but because it is the primary vector of curly top, a virulent virus disease attacking sugar beets, tomatoes, melons, flax, spinach, small white beans, cucumbers, swiss chard, pumpkins, squash, peppers, beets, turnips, cabbage, horse radish, and other crops.

1. Breeding Grounds and Life Cycle

The major breeding grounds of the beet leaf hopper in Northern California are the eastern slope of the Coast Ranges between Salinas and San Joaquin Valleys, from Altamont Pass in the north to the Tehachapis on the south. From these breeding grounds the hopper migrates in all directions for distances ranging from 10-250 miles depending upon prevailing winds. This migration occurs during the months of April to June.

In the late summer and fall months the beet leaf hopper propagates and multiplies upon certain host plants, most important of which is Russian thistle. During October and November large numbers return to the breeding grounds in the Coast Ranges.

2. Influence of Beet Leaf Hopper on Agricultural Production

During years in which substantial numbers of beet leaf hoppers move from the breeding grounds into farming areas, the production of susceptible crops is not economically feasible. Prior to the initiation of control programs this migration occurred most virulently at four to eight year intervals. In 1919 extensive losses of melons and sugar beets occurred in the San Joaquin and Salinas Valleys. Following this experience, sugar refineries in Corcoran and Visalia were moved into other areas. Other serious outbreaks occurred in 1900, 1905, 1914 and 1925. In intervening years substantial losses were sustained but not comparable with those years of high infestation.

Since the initiation of spraying and Russian thistle control measures in 1931, the cyclical character of high beet leaf hopper infestation and consequent losses of crops has been interrupted. Crop losses in recent years, with the exception of 1946, while of substantial proportions, have not been comparable with those suffered in peak years.

In substantial areas of the State it is not economically feasible to produce many crops which would otherwise be grown in the area, because of the possibility of curly top infection. The crops most susceptible to curly top are sugar beets, tomatoes, melons, flax, small white beans, cucumbers, spinach, swiss chard, pumpkins, squash, peppers, beets, turnips, horse radish and cabbage. The development of resistant sugar beet varieties has reduced losses and permitted the production of sugar beets in areas where they would otherwise be impractical, but the resistance is not complete and substantial losses may be incurred even though resistant seed is used.

3. History of Control Efforts

Control programs were first undertaken in 1931 by the sugar processing companies. Up until 1943 the sugar companies undertook an annual program of spraying for beet leaf hopper control and host plant eradication. In the latter year, the spraying portion of the program of the sugar companies was terminated because of the development of more resistant strains of sugar beets and because the sugar companies

did not feel they should be called upon to carry the load for all susceptible crops. The sugar companies have continued to police the areas north of Cantua Creek in which Russian thistle has been controlled, in order to prevent broad scale reinfestation.

In the Biennium 1943-45, \$15,000 per year was appropriated to the Department of Agriculture for spray control work. In the Biennium 1945-47, \$21,500 per year was appropriated for this purpose.

4. Methods of Control and Their Effectiveness

Two major control methods for beet leaf hopper have been developed.

One of these is the annual spraying of the most infested portions of the breeding areas with kerosene and pyrethreum. In the past year some DDT spray has also been used with considerable effectiveness. This does not involve the wholesale spraying of large areas, but rather the spraying of those areas where populations of the hoppers are concentrated, particularly certain host plants preferred by the hoppers during the spraying season.

The second control method is the eradication of the Russian thistle, by grubbing, rail drags, burning, cultivation and other means. This program is now the primary effort of the sugar companies. A similar program has been undertaken by a group of melon producers in the west side of Fresno County. As a result of past efforts, Russian thistle infestation from the area between Altamont Pass and Mendota has been largely eradicated, so that annual activity may be confined to policing work each year. In the area from Mendota south to the Tehachapis no work on Russian thistle has been done and in recent years this has been the principal source of major migrations.

The only permanent solution to the problem is the reduction of Russian thistle and other host plants in the whole area to the point at which an annual policing job will keep such host plants at a minimum, so that an annual spraying operation will reduce beet leaf hopper numbers to a safe level.

A spraying program in combination with Russian thistle control has been adequately demonstrated to be an effective, practical and economic means of keeping beet leaf hopper populations at a sufficiently low level that extensive losses may be prevented.

A spraying program in an area where no Russian thistle control program has been undertaken is of temporary effect. Its effectiveness is dependent upon the thoroughness with which the spray program is carried on. No guarantee can be made that a spray program by itself will be adequate to prevent losses. But a comprehensive spray program will substantially reduce populations of beet leaf hoppers in the breeding areas treated and will substantially reduce the possibilities of losses being suffered.

It should be reiterated that a permanent solution to the problem must provide for both host plant eradication and annual spraying of the major breeding areas.

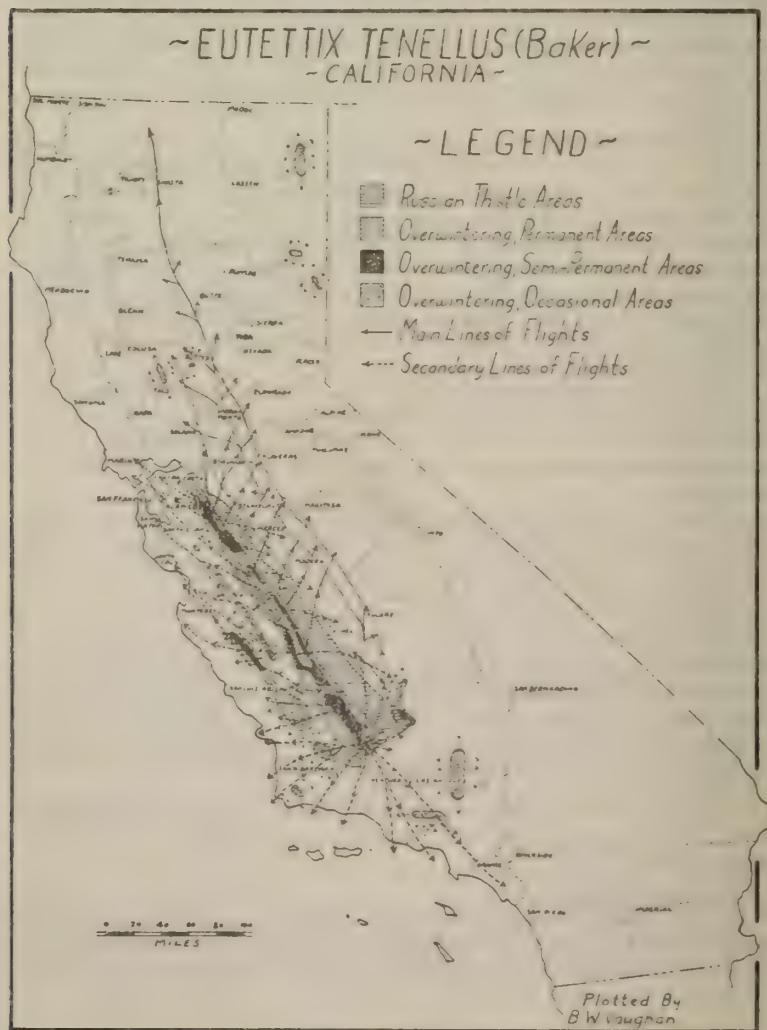
5. The Present Situation

At the present time the beet leaf hopper population in the areas south of Mendota have increased to a very dangerous level jeopardizing 1947 crop production in extensive areas of the San Joaquin and Salinas

Valleys and adjacent areas. Under favorable wind conditions very serious losses could also be caused in the delta area and Sacramento Valley.

In 1946 heavy losses of sugar beets, tomatoes and melons have been experienced in the San Joaquin and Salinas Valleys.

Conditions up to now (during 1946) have been favorable for continued increase in the beet leaf hopper population of the breeding areas. Barring weather conditions this winter that will reduce populations of the hoppers, present indications are that numbers, and consequently crop losses, in 1947 will exceed those suffered in 1946. The present situation is more serious than that in any previous year with the exception of 1919 and 1925, and may be comparable with those years.



Problem 2. Plague Suppression in Field Rodents

The need continues for the suppression of field rodents in areas where they are reported by the official state health agency to harbor diseases transmissible to humans.

In 1929 it became the policy of State Government to establish the function and responsibility of the State to take the lead in suppressing reservoirs of bubonic plague found in field rodents in cooperation with the counties by designating the State Department of Public Health to make all necessary field investigations to determine areas upon which plague infection was harbored by such rodents and designating the agricultural regulatory agencies to control or eradicate the rodents. This policy has since been set forth in Section 139.5 of the Agricultural Code. The purpose was to prevent duplication or overlapping of effort by two or more agencies in field rodent control and to have the trained personnel of each established agency made responsible for the work for which it was best equipped and qualified.

In the field rodent control work this involved the development of a cooperative agreement plan with county board of supervisors whereby

- (a) On agricultural areas a three-way plan of cooperation was established with State, county, and landowner sharing in cost of rodent control, and
- (b) On recreational areas a two-way plan of cooperation was established with State and county sharing equally and whatever assistance possible developed from federal sources where federally owned or controlled areas might be involved, the federal agency assuming the role of landowner.

DISCUSSION*

When the program was originally developed (1929) 10 central coast counties were involved.

New survey techniques available to health agencies in their field investigations brought in additional counties starting in 1933 and adding new areas and new counties in the San Joaquin Valley, Northeastern California, and Southern California, and recreation areas at or near Lake Tahoe, Huntington Lake, Lake Almanor, and in the San Bernardino Mountains.

Minor increases in allotment of funds were insufficient to carry the field rodent suppression phase commensurate with the expanding areas reported by the State Department of Public Health and in the manner required for human safety.

Wartime location of camps where armed services personnel were being trained or housed, required especial attention to areas where these camps were situated on or near plague foci, especially in San Diego, Riverside, San Luis Obispo, Monterey, and Lassen Counties.

Increases in labor costs and higher expense for bait and poisonous agents further reduced the scope of the program until the State Department of Agriculture was not fully able to meet its share of cooperative responsibility. In 1945 and 1946 two entirely new counties were added

* Summarized from statements made at Los Angeles by agricultural regulatory officers.

to the list; namely, Merced and Orange, and in many counties enlargement of old areas and finding of new foci placed the program in the position of having to catch up materially with this work and restore it to the sound basis it was established on during the 1930's if and when additional funds became available. In 1946, the number of counties in which plague infection had been reported reservoired in field rodents totaled 34.

Specialized techniques in rodent control have had to be developed since the variety and kind of animals involved require greatly varied seasonal treatments.

The June 28, 1940, issue of the United States "Public Health Reports" (Vol. 55 No. 26) show that plague infection has been proved from 14 species of ground squirrels (in California this would include four species of Digger squirrels, the Oregon, Balding, golden mantled and soft haired ground squirrels), house rats, wood rats, chipmunks, flying squirrels, tree squirrels, marmots, kangaroo rats and field mice and in fleas, lice and ticks from such field rodents.

More recently the State Department of Public Health has found an increase in the incidence, in humans, of relapsing fever reservoired in chipmunks in the Lake Tahoe region and has indicated that this disease will be reported under Section 139.5 of the Agricultural Code.

Two other transmissible diseases also involved, but until recently fairly well suppressed since their rodent hosts ordinarily were involved in the plague area operations, are Rocky Mountain spotted fever and tularemia.

A whole new field of rural rat control seems fair to be opened up with the extension of reports of murine type typhus in certain Southern California areas.

RECOMMENDATIONS

Your committee recommends that:

There be included in the 1947-48 Budget of the State Department of Agriculture approximately \$50,500 additional funds for more intensive field rodent suppression on the established cooperative bases on areas where the official health agencies have determined same to harbor diseases transmissible to humans in order that the program may be carried out in accordance with long established state policy. This is insurance against recurrences of epidemics of any of these diseases in humans and will permit continuance of an established program either:

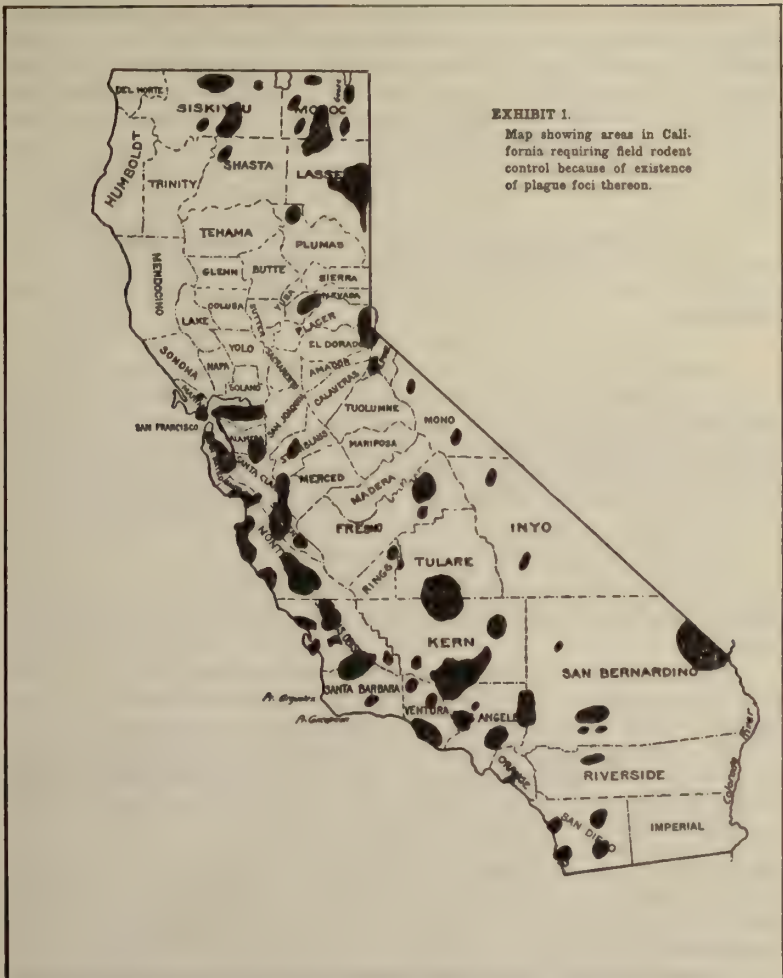
(a) To eradicate field rodents on areas hazardous to humans because of the rodent harbored transmissible diseases thereon, or

(b) To so reduce the field rodent population so that transmissible disease transfer between such rodents be reduced to a minimum thereby to safeguard against large active reservoirs of such diseases continuing as a menace to human health.

EXHIBITS IN THE APPENDIX

Exhibit No. 1

Map Showing Areas in California Requiring Field Rodent Control Because of Existence of Plague Foci Thereon.



Problem 3. Incipient Pest Survey

To provide increased protection for California agriculture against the establishment of new agricultural pests which may be present in the State but unsuspected, or which may be introduced in the future and not susceptible to prompt discovery by present means, it is necessary to establish a method by which these incipient pests may be discovered before becoming established and spread.

A representative of the California State Department of Agriculture stated that because of inadequate provision made, the State Department of Agriculture was unable to conduct consistent and regular surveys designed to encounter newly introduced pests.

Frequently new pests are discovered accidentally but more usually they have already become well established in a locality before the official agencies encounter them or have them reported. Expenditures must then be made to determine by survey, what the outward limits are. In such instances the expense for survey on a single pest far exceeds the cost of maintaining a regular continuing survey program.

The California State Board of Agriculture many years ago by resolution set forth the desirability of being prepared for conducting regular surveys.

The county agricultural commissioners have requested action by the department not only to develop such a continuing survey program, but also to have men available to train county employees in techniques and procedures.

DISCUSSION

Assembly Bill 828, Fifty-sixth Session (1945) would have provided an appropriation for the State Department of Agriculture to develop a state-wide survey of agricultural crops, other hosts, and areas hazardous because of proximity to transportation termini for incipient infestations of newly introduced insect and/or plant disease pests of potential economic importance to agriculture. This measure, carrying an appropriation of \$79,880, passed the Assembly as amended but died in Senate Finance in the closing days of the session.

Two outstanding instances have been recorded recently of insect pests that might have been discovered in their incipient state had there been a survey made such as is contemplated by the request for the present legislation.

The oriental fruit moth had probably been existing in the State for several years before it was discovered in the more or less routine of investigation by the Orange County Agricultural Commissioner's office.

The Mexican bean beetle, long feared by California agriculture but not discovered through established pest inspection methods, probably existed in Ventura County for some time prior to its discovery and when found already involved approximately 2,000 acres.

The control measures directed at both these insect pests has cost the State of California hundreds of thousands of dollars spent to prevent the further spread of these insects. Had there been earlier discovery, costs might have been greatly reduced and better opportunity existed for eradication attempts.

"Quick Decline" of citrus trees reported in 1944 required an immediate survey by state and county agricultural regulatory officers at considerable expense in order to delimit the area to be subjected to quarantine restrictions pending determination by research pathologists of the nature and cause of the disease.

While the difficulty was discovered several years ago and research has continued progressively since that time, it is quite probable that had an incipient pest survey been available, it might have been discovered even prior to the date on which it was recorded.

The baffling nature of the difficulty involved extended research which also might have been speeded up had the discovery been made earlier.

Several years of concentrated study on the part of the College of Agriculture entomologists and pathologists was necessary before it was

established that citrus quick decline was a virus disease. Much of this time might have been saved had this condition been discovered earlier.

In brief, the proposed budget request by the Department of Agriculture will provide sound agricultural insurance and a proper investment by the State to protect its agriculture against new injurious insects and plant diseases before they get out of hand and present difficult if not impossible control problems.

Areas of hazard are :

- (a) Vicinity of maritime ports,
- (b) Vicinity of airports landing foreign planes,
- (c) Railroad freight car holding and transfer yards,
- (d) Plant Introduction gardens.

Staff needed :

- (a) Three trained entomologists,
- (b) Three trained plant pathologists.

Lack of such survey work makes hasty surveys necessary when new pests are discovered. Such surveys become obsolete as soon as specific allocations become exhausted or regular funds made available to the department are required for other work.

RECOMMENDATIONS

Your committee recommends that :

Provision be made in the budget of the State Department of Agriculture for a regular staff of not less than

Three assistant entomologists

Three associate pathologists

to do special survey work to encounter incipient pests in areas of greatest hazard, and to train county agricultural commissioner staff members in methods and procedures to use in the counties.

The amount to be appropriated should be approximately \$48,000 a year.

EXHIBITS IN THE APPENDIX

Exhibit No. 1

Recommendation of California State Board of Agriculture.

Exhibit No. 2

Resolution of California Agricultural Economic Conference.

Exhibit No. 3

U.S.D.A. Agricultural Research Administration, Washington, D.C.,
Press release 12/11/46 re U.S. infestation of insects "hitch-hiking" in
airplanes from U.S. and foreign ports.

Appendix**Exhibit No. 1****CALIFORNIA STATE BOARD OF AGRICULTURE**

Sacramento

May 21, 1945

Recommendations of the California State Board of Agriculture**RE: Pest Survey Work of the State Department of Agriculture**

Upon motion of James Armstrong, seconded by Frank Shay, the following recommendation was unanimously adopted by the California State Board of Agriculture in regular meeting, with eight members present, at Sacramento, California, Monday, May 21, 1945:

That the California State Board of Agriculture does recommend the passage by the Legislature of Assembly Bill No. 828 (Erwin) in order that a speedy determination may be made of the extent of the existence of "Quick Decline of Citrus" in all citrus-producing counties of this State, and

Be it further recommended, that additional funds be provided to the State Department of Agriculture in order that a continuous pest survey program may be undertaken for the following reasons:

(1) To discover and prevent the spread of seriously injurious pests and diseases as soon as possible after their introduction, thereby to prevent more extensive costs in control or eradication campaigns;

(2) To eliminate the necessity of requesting special appropriations for special surveys for particular pests at each session of the Legislature through the establishment of a policy of including such a project in future budgets in accordance with past recommendations of this board and of the agricultural industry generally;

(3) To develop, through such a continuous survey project, a basic insurance against destructive spread to large agricultural areas by early discovery, thereby also to enable research agencies to perfect control and eradication procedures while the pest or disease is still of limited distribution and particularly in the event eradication should prove to be impossible.

Exhibit No. 2**SPECIAL PEST ERADICATION (XXVII)**

(Resolution Adopted by the California Agricultural Economic Conference*
Held at Stockton, California, December 17 and 18, 1940)

WHEREAS, The agricultural industry of this State is periodically subjected to the hazard presented through the introduction and spread of new or serious pests, such as the olive scale, Hail's scale, and Pierce's Disease of the vine, and other serious pests, as same are defined in Section 100 of the Agricultural Code, and which are still of limited distribution yet of state-wide significance, and

* The California Agricultural Conference succeeded in 1940 to the functions and purposes of the long-established Fruit Growers and Farmers Conventions, attended by representative growers, livestock men, farm organization officials, leaders of groups affiliated with agriculture, and by county, state and federal agricultural administrators and leaders in agricultural research, marketing, and other phases of California agriculture.

WHEREAS, The establishment and spread of such pests within the State would place annual fixed charges against the various agricultural industries affected, which industries form the basis of the major portion of the state's income, therefore be it

Resolved, That the California Agricultural Economic Conference assembled in Stockton, December 17 and 18, 1940, respectfully requests the Legislature and/or the several counties of this State to appropriate sufficient funds for use of the proper agencies to adequately survey the necessary areas of the State for any such new pests, and to control or eradicate them when found.

Exhibit No. 3

UNITED STATES DEPARTMENT OF AGRICULTURE

Agricultural Research Administration

Washington, December 11, 1946

Rohwer Warns of Plane-Borne Insects

Insects hitch-hiking in airplanes from one part of the world to another is an international problem which must be solved without delay through international cooperation of quarantine officials, it was pointed out today to the American Association of Economic Entomologists at Richmond, Va., by S. A. Rohwer, Assistant Chief of the United States Department of Agriculture's Bureau of Entomology and Plant Quarantine.

Rohwer declared the new kind of insect menace to public welfare and agriculture is so important that quarantine officials of all countries must meet this challenge of the air age now upon us. The need for solving this important problem is so great, he said, that it might have far-reaching effects on the present regulations on international air traffic. In the past, quarantine procedures have generally concerned products which might carry the pests, rather than the pests themselves.

Procedures which can be used to end the present threat of importation of insects by air from one country to another will not be simple, Mr. Rohwer said. The procedures may possibly involve the services of Customs, Immigration, and Public Health. These federal agencies are also concerned in the responsibility of protecting the health and resources of this Country. Quarantine officials, he said, must not lose sight of this fact in the setting up of necessary procedures for proper regulation of international air traffic.

The people of the United States have already had considerable experience with foreign insects which have been accidentally introduced into this Country, Mr. Rohwer said. The American public already knows, he said, what it costs to support such insects as the Japanese beetle, European corn borer, gypsy moth, oriental fruit moth, Mexican bean beetle, the boll weevil, and white fringed-beetles. He pointed out that the 1945 damage to the cotton crop caused by boll weevils was 639,000,000 pounds of cotton, or 1,278,000 bales which were worth \$170,000,000. He also pointed out that the European corn borer cost the American farmer \$22,700,000 in 1944, and nearly \$37,000,000 in 1945. These estimates do not take into account the cost of trying to control the pests, Mr. Rohwer said, and are only a few examples of what foreign insects might cost if they became established in our country.

Air traffic into the United States during the past few years has increased at a rate much greater than many people realize. During the third quarter of 1941, a total of only 2,829 airplanes in international traffic were inspected upon landing in the United States by Bureau of Entomology and Plant Quarantine inspectors. This number increased to 17,494 such inspections during the same quarter in 1946. During the 1946 period, 259,954 passengers came into this Country by international air traffic. There were 94,898 pieces of cargo subject to plant quarantine inspection on these planes. There were 8,409 lots of plant material intercepted because of plant quarantine restrictions.

There are no known infestations of foreign insects arriving by air so far in the United States. Mr. Rohwer said, but he pointed out that "it is not too much to assume that the future will disclose the presence of pests new to areas under circumstances indicating that the infestations resulted from artificial movement which occurred many seasons before discovery." He explained that a considerable number of live insects, which were killed immediately, have been found by bureau inspectors on planes just arriving in the United States. It already appears that a grasshopper native to the plains of Texas has been transported by air to the vicinity of John Rodgers Navy Air Field on Oahu, in the Hawaiian Islands. Another grasshopper has been found on Navy air fields of Kwajalein Island, in the Marshalls. Truk, in the Carolines, and Majiero, in the Gilberts, all of which are long distances from known areas of infestation.

"After the development of the gas-propelled insecticide aerosol in 1942 (the aerosol 'bomb' was developed by Bureau scientists in cooperation with industry) this method of applying the insecticide has been the standard required treatment of planes coming from certain areas," Mr. Rohwer said. But he pointed out, "Useful as this requirement may be, it has been recognized that the treatment was not fully effective, especially because it was not possible to reach all parts of the plane in flight and predeparture or post-arrival treatments did not exclude possibility of infestation after treatment, or escape before treatment on arrival."

Another aspect of the problem of insect hitch-hikers on airplanes is of importance to the American public. It is the problem in which injurious insects may be transported in airplanes from an infested portion of the country to another uninfested area many miles away. Japanese beetles are notorious hitch-hikers on airplanes. This insect now infests only certain areas in eastern United States. They do not occur on the Pacific Coast but have been recovered repeatedly in airplanes leaving for uninfested places from eastern airports.

Problem 4. Market News Service Expansion

Market news service by the Federal-State Market News Service of the State Department of Agriculture, has been requested for sections not now served or for sections only partially served, to meet their special or particular needs as related to the efficient marketing of their agricultural products on highly competitive markets.

DISCUSSION*

Extension of official market information and market news dissemination by the present Federal-State Market News Service has been requested from several areas of California to provide:

A citrus market news office in Los Angeles,

A year-round office in Kern County,

A year-round office in Fresno,

A seasonal office at Blythe,

A seasonal office at Tule Lake-Klamath Falls region,

and which, if completely supplied, would involve a total additional appropriation of \$58,200.

The committee also received evidence to support two proposals for expanded service included in the State Department of Agriculture's budget for the Ninety-ninth Fiscal Year:

Oakland fruit and vegetable truck unload census, and

Expanded dairy and poultry market news service at Los Angeles; the total requested for these services in the submitted budget for the Department of Agriculture Ninety-ninth Fiscal Year being \$4,100.

The amount for all services requested but not now rendered, would total \$62,300.

The Bureau of Market News, State Department of Agriculture, under the terms of a cooperative contract with the United States Department of Agriculture, has provided market news service for California agriculture for the past 25 years.

This contract has provided the means of combining the nation-wide facilities of the United States Department of Agriculture and the state-wide facilities of the California Department of Agriculture so that both departments might render a more effective, complete and integrated service.

A leased wire teletype system of approximately 8,000 miles is maintained by the United States Department of Agriculture to provide constant direct daily contact with all the important terminal and shipping point markets of the Nation.

The California Department of Agriculture maintains a radio telegraph system to connect California offices with this teletype service.

Eight terminal market and four shipping point market offices are maintained in California on a year-round basis and two shipping point market offices on a seasonal basis.

Market reports are issued on five commodity groups:

Fresh fruits and vegetables;

Livestock, meat, and wool;

Dairy and poultry products;

Hay, grain, and feed; and a

Miscellaneous group including dried fruits,

edible nuts,

honey,

dry edible beans, and

foreign commodity reports.

* Summarized from statements made by Ralph Bunje representing San Joaquin Valley growers and shippers and by representatives of the State Department of Agriculture in response to the Committee's request for data.

These requests are set forth in detail, together with supporting data, in the various exhibits included within the Appendix.

RECOMMENDATIONS

Your committee recommends that:

1. Provision be made through specific legislation or by augmentation of the budget of the State Department of Agriculture at the Fifty-seventh Session of the Legislature to approve and finance the market news needs at:

- (a) Los Angeles (citrus),
- (b) Bakersfield (all reported crops produced in the area),
- (c) Fresno (all reported crops produced in the area); that further study be given to the requests from
- (a) Palo Verde Valley, and
- (b) the Tule Lake-Klamath Falls area, the latter to be worked out with the assistance of the Federal Government.

2. The budget of the Department of Agriculture for the Bureau of Market News be increased in the amount of \$45,200 to undertake the necessary services for the areas approved; and

3. An additional \$13,000 be added to the Department of Agriculture budget upon a more definite showing of need for the two areas designated for further study.

Exhibits in the Appendix

Exhibit No. 1

Letter dated 12/9/46 from W. C. Jacobsen, Assistant to the Director, transmitting to Senator Hatfield a summary of the several additional services requested to be rendered by the Bureau of Market News in the State Department of Agriculture.

Exhibit No. 2

Editorial, Fresno Bee, 9/20/46.

Appendix

Exhibit No. 1

STATE OF CALIFORNIA
DEPARTMENT OF AGRICULTURE

December 9, 1946

Honorable George J. Hatfield, Chairman
Joint Interim Committee on Agriculture and Livestock Problems
P. O. Box "C," Newman, California

DEAR SENATOR HATFIELD

In accordance with a request made of us at your meeting in Los Angeles on November 11, 1946, to supply a list of the several additional services requested to be rendered by the Bureau of Market News in the State Department of Agriculture, and which are not provided for in the budget for the current Ninety-eighth Fiscal Year, we attach a summary thereof.

This matter arose in connection with the recommendation before your committee by Mr. Bunje (San Joaquin Agricultural Labor Bureau) that full-time Market News services be rendered at Fresno.

We present an estimate of the amount of money which would be required to be added to the budget for the Bureau of Market News in the event that all of these requests were complied with. We also list those portions of the features requested for which provision was made in the proposed budget for the coming Ninety-ninth Fiscal Year.

Very sincerely yours,

/s/ W. C. JACOBSEN
Assistant to the Director

I

**Additional Services Requested for Market News Work Not Now
Provided for in Current Budget (98th F.Y.)**

1. *Citrus Market News Service at Los Angeles.* The United States Department of Agriculture and the California Department of Agriculture have been requested by representatives of the California Fruit Growers Exchange, the Mutual Orange Distributors, the American Fruit Growers, and the Independent Growers and Shippers Association, to establish on a joint basis a complete citrus market news service at Los Angeles, in connection with our present fruit and vegetable office. The proposal contemplates the publication of a daily distribution report for a hundred markets for oranges, grapefruit and lemons.

2. *Establishment of a year-round Market News office in Kern County as a substitute for the four-month seasonal office normally operated during the potato marketing season.* The requests have been correlated through the office of county agricultural commissioner and have originated from the farm bureau and growers and shippers who believe that the seasonal office is insufficient to meet Kern County needs.

3. *Establishment of a year-round Market News office at Fresno.* In addition to the request made by Ralph Bunje of the San Joaquin Valley Labor Bureau, information was received in July from H. C. Asher, voicing the desire of a group of growers and shippers. This need has also been publicized editorially in the Fresno Bee. The office has been requested to go beyond the current reporting of grape, tree fruit, and melon market. An office is presently operated seasonally from July through mid-November.

4. *Establishment of a seasonal fruit and vegetable Market News office at Blythe (for Palo Verde Valley).* The California Vegetable Growers, Inc., and other of the larger producers and shippers in the Palo Verde Valley, believe that the perishable industry centered at Blythe is large enough to justify the establishment of an office locally, rather than to depend upon long-distance telephone communication with the Brawley Market News office. Their contention has been developed that a number of the commodities, particularly developed in that area, are of outstanding quality and bring a premium both delivered and on an f.o.b. basis.

5. *Establishment of a seasonal potato and onion Market News office for the Tule Lake-Klamath Falls area.* Requests for an office in this area have come to both the State Department of Agriculture in California and the extension service in Oregon, headquartered at the Oregon State Agricultural College at Corvallis. The federal cooperating agency has also been contacted, largely with the view to having such service sponsored jointly by the Federal Government and each of the states of Oregon and California.

6. *Expansion of East-Bay area services.* Because of the heterogeneous manner in which truck unloads of fruits and vegetables in the Oakland market had to be developed, provision has been requested for a reliable daily truck unload census of fruits and vegetables arriving in Oakland and adjacent East-Bay markets. Receivers and other users of the information have requested more reliable reports. Presently the department relies upon two night-watchmen employed by the Oakland Wholesale Fruit and Products Association, individual dealers whose receipts are not compiled by the watchmen, chain store organizations, motor truck lines, agricultural inspection officials, and others. The requirements of the employees in the San Francisco office do not permit more than a casual checking of the truck unloads reported in the East-Bay area.

7. *Expansion of Market News reports on eggs, dressed and live poultry, cheese, dry milk and casein, and related products at Los Angeles.* The removal of wartime marketing restrictions in the marketing of dairy and poultry products, and the return of sales to the established wholesale channels of trade, has indicated the necessity that more time and effort be given to these products in the Los Angeles market. The request for this work originated with the Poultry Department of the Los Angeles County Farm Bureau, and has been supported by representatives of the industries involved. Truck receipts of dressed and live poultry in Los Angeles are large, and an important factor in the making of daily market price. These receipts are not now reported. Los Angeles is one of the largest and most important dairy and poultry markets in the Nation, both in area and in volume. The present one-man staff devoting time to this field cannot adequately keep abreast of the growing and changing market.

II

**Estimated Cost of Completely Furnishing Additional Market News
Services Requested and Not Now Rendered**

1. *Citrus Market News Service at Los Angeles.* It is estimated that proposed services will cost between \$15,000 and \$16,000 per year, to be borne equally by the United States Department of Agriculture and the California Department of Agriculture. The State's share on such a 50-50 basis would be \$7,500 to \$8,000 per year to cover salaries of one marketing specialist, three clerks, materials and supplies, rent, telephone, and other operating expense. For the beginning year there would be an additional out-lay for office equipment, making the department's share approximately \$9,200.----- \$9,200.00
2. *Kern County office* would require the services of a marketing specialist, an intermediate stenographer-clerk, and a radio telegraph operator. Office furniture, equipment, radio equipment, rent, and an automobile would make an estimated total of approximately \$18,500.----- \$18,500.00
3. *The proposed Fresno office* salaries and wages for one marketing specialist, one intermediate stenographer-clerk, and one radio telegraph operator, plus operating and equipment costs similar to those indicated for Kern County above would be approximately \$17,500.----- \$17,500.00
4. *Seasonal office at Blythe.* A market news specialist is undoubtedly intended to service Blythe to quote f.o.b. prices for the period December through July each year. Currently the Blythe office develops information by long distance telephone to Yuma and Phoenix, Arizona, and Brawley, California, which are served by Time Wire Service (TWX) Teletype. Apparently the simplest method would be to connect Blythe to this circuit for simultaneous transmission. Salaries and wages for a marketing specialist and an intermediate typist clerk, plus the wire extension, and automobile and miscellaneous equipment, would require approximately \$7,750 in order to initiate this service. ----- \$7,750.00
5. *Seasonal Market News office, Tule Lake-Klamath Falls.* If this service were to be developed on a three-way cooperative basis with the Federal Government and the State of Oregon, the best estimate would be \$4,150. Salary and wages and operating costs for the seasonal office (seven months) from our experience should approximate \$6,000 per year. Divided among three agencies, this would cost each agency \$2,000, or if only California and the United States Departments of Agriculture participated, \$3,000 each. In addition, the first year there would be nonrecurring equipment costs of \$3,000—\$3,500 to be divided on such basis as was mutually agreed upon to establish the office. Estimated at ----- \$5,250.00

6. *East Bay area truck unload service.* This would involve the addition of a Fruit and Vegetable Marketing Assistant to service the Oakland and adjacent East Bay markets, to make a daily truck unload census of fruits and vegetables arriving at that point. One additional employee at \$2,400 per annum, the minimum salary allowed for the grade, should cover the cost.----- \$2,400.00
7. *Los Angeles dairy and poultry products expansion.* The service requested here can be accomplished by the addition of an assistant marketing specialist to make more complete and effective reports on the products involved. Such specialist would also be used to furnish both emergency and vacation relief at the San Francisco and Los Angeles offices. As a state employee alone, the salary would be \$3,397 per year. If accomplished on a cooperative basis with the Federal Government, the State Department of Agriculture salary factor would be \$1,700.----- \$1,700.00

Summary of Additional Cost for One Year

Item

1. Citrus at Los Angeles-----	\$9,200.00
2. Kern County-----	18,500.00
3. Fresno -----	17,500.00
4. Blythe -----	7,750.00
5. Tule Lake-Klamath Falls-----	5,250.00
6. East Bay Area-----	2,400.00
7. Poultry and Dairy Products	
Los Angeles-----	1,700.00
Total -----	\$62,300.00

III

**Extension of Market News Service Activities in Proposed Budget
for (99th) Fiscal Year 1947-48**

Provision has been made in the Department of Agriculture budget for the coming fiscal year for the two last items referred to in the preceding lists. These were considered as being necessary to adequately and accurately round out work now being conducted in the areas involved, and were essentially in keeping with the instructions of the Department of Finance relative to budget preparation. These are as follows:

Items (6) and (7) in Preceding Lists I and II

(6) East Bay Area (Truck Unload Census)

Request has been submitted for the employment of one
 (1) additional fruit and vegetable marketing assistant at \$2,400 per annum, to operate under the supervision of the San Francisco office.----- \$2,400.00

(7) *Expansion of Los Angeles Poultry and Dairy
Products Market News Reports*

Provision has been submitted for the employment of one (1) additional assistant marketing specialist, dairy and poultry products, at a minimum salary of \$3,397 per annum, of which the California Department of Agriculture would pay one-half, or about \$1,700. -----

\$1,700.00

Additional request actually submitted in budget for Ninety-ninth Fiscal Year.-----

\$4,100.00

Exhibit No. 2

FRESNO BEE

Editorial Page

Friday, September 20, 1946

Growers and allied interests owe it to themselves to back up a current Fresno County Chamber of Commerce Agricultural Committee request for continuous operation of the Federal-State Market News Service local office.

This seasonal accommodation now afforded by the Federal and State Departments of Agriculture should go well beyond reporting the grape, tree fruit and melon market trends.

The San Joaquin Valley currently is a major truck garden area. Besides producing a wide variety of vegetables, it also enjoys a forefront place in the potato, grain and cotton picture.

These are day to day items filtering into consumer markets. They alternately are year around products. The volume shipments and the outlet prices thereof warrant daily accountings at the production source.

Service rendered by the Market News agency from August to about middle November has been virtually invaluable for many years, so far as the vineyard industry is concerned.

It also has been of equal worth, in season, all the way from the New England potato belt, through the South, Arizona and to the Salinas district lettuce fields.

San Joaquin Valley harvest and market seasons are practically without interruption, however. There is hardly a month when one crop or another is not predominate.

Immediately available reports on going prices and the movement of these crops are due the local producers, the shippers and the middlemen.

They definitely deserve the year around service the chamber group is urging.

Problem 5. Weed Control Research

The extent of weed damage to California crops is so great that the State and Federal Governments, cooperating with various other public agencies and with private interests, are called upon constantly to wage a relentless battle against weeds, a number one enemy of successful farming in this State and Nation. The most important requirement in this continuing battle is that weed control research shall keep pace with progress in various scientific research fields.

DISCUSSION*

Weeds are costing California agriculture an estimated \$70,000,000 annually. This figure includes losses due to agricultural crop depletion to the livestock industry through poisonous plants and through damage to range lands that have in many areas been completely taken over by weedy species, unpalatable to both cattle or sheep; extensive costs of recleaning seed and feed due to weed seed impurities; and increased cost of maintenance on highways, railways, irrigation and drainage canals.

The interest in weed control in California has increased by leaps and bounds, especially during the last four or five years during which time there was a request for increased crop production, and the costs of weed control were realized by those attempting to comply with the request for greater production. The lack of basic information to assist the growers in this expanded program was keenly realized and, due to the fact that only incomplete data was available, farmers experienced many crop losses by using recommended materials that had not been thoroughly tested. Therefore, research in the field of weed control is of greater importance today than ever.

The development of organic chemicals as herbicides has introduced many complex problems. These new materials, such as the growth-regulating substances 2, 4-D and many derivatives, have so far proved to offer the most promising phase of chemical weed control yet found. Doctor Krause of the University of Chicago has stated at the North Central States Weed Control Conference, held in St. Paul, that there are at least a hundred different possibilities in the use of these growth-regulating substances for weed control through various organic combinations. This fact points up the problem that confronts research throughout the Country. Without research and field trials, and with the industry introducing these new materials without adequate tests, the users of these weed control herbicides are bound to experience difficulties that will prove costly.

The experiment stations generally are understaffed for two reasons:

- (1) The funds allocated for weed control research are inadequate.
- (2) Due to this first fact, chemical companies have offered greater inducement for some of the best trained workers to enter commercial research fields.

The general public may continue to get the benefits of the results of the commercial research continued by these men, but too often this information is withheld for competitive reasons. Funds should be made available to experiment stations for expansion and for the purpose of retaining well trained research men so that the results of their investigations may be used for the benefit of the general public throughout the State and Nation.

The funds allocated for weed research in the Experiment Station at the University of California, Davis, are approximately \$13,000 annually. Such limited funds will support not over two research workers, with travel and other essential expenses. Certain moneys have been made available by commercial interests to assist in the research work of the university experiment station, but even with these the field cannot be covered.

* Summarized from statements presented by grower representatives at El Centro and staff members of the State Department of Agriculture.

The experiment station has attempted to carry on research on many subjects, but due to lack of personnel, adequate greenhouse and laboratory facilities, it has been impossible to give any one subject the attention it should receive.

RECOMMENDATIONS

The committee endorses and supports the continuation and expansion of weed control and related research work in this State, particularly by the State Experiment Station and College of Agriculture in the investigational field and in cooperation with private interests, and by state and county agricultural regulatory officers as it relates to their responsibilities as set forth in the Agricultural Code to combat agricultural pests.

In addition, the committee gives particular support to those present subjects of weed research and investigation mentioned in the report made to the Governor by the Agricultural Research Study Committee. To make this program effective, it is further requested that more adequate equipment and greenhouse and laboratory facilities as well as additional personnel be recommended.

Problem 6. Changes in Egg Law

A revision is needed in sections of the Agricultural Code relating to egg standardization with particular reference to tolerances for eggs failing to meet minimum weight specifications.

DISCUSSION*

The proposal of the poultry department of the California Farm Bureau Federation is to increase the tolerance for eggs failing to meet the large and medium size classifications and to clarify the application of the tolerances as applied to eggs in cartons containing only one dozen eggs each.

The present difficulty is that the handlers of eggs, in some instances, were apparently unable to fully comply with the present egg standardization provisions insofar as weights are concerned.

The industry is not fully united as regards to definite affirmative action by the Legislature. There is an indication that the proponents and opponents of this change may compromise their differences and agree on a program of action which the Legislature through appropriate committees may consider during the present session.

RECOMMENDATIONS

Your committee recommends that:

In view of the divergence of opinion in the industry regarding the best way of solving this problem, and the lack of a specifically recommended amendment from the industry, action be deferred until such time as the opponents and proponents of a change in the law agree on a definite proposal for consideration by the Legislature.

* Summarized from presentation made at Santa Cruz by the Poultry Department of the California Farm Bureau Federation and representatives of producers groups.

Problem 7. Poultry Meat Grading Law

At present, neither the Federal nor State Departments of Agriculture require any inspection or certification as to the wholesomeness and grade of dressed poultry or poultry meat products offered for sale in California or moving in interstate commerce. A certain amount of inspection is required by local health and food inspection officers and is performed in connection with their regular duties.

A voluntary grade labeling and certification plan is operated under the auspices of the United States Department of Agriculture. This covers dressed poultry in plants maintaining experienced graders licensed by the Federal Government.

A grading service under state supervision has been suggested by poultry producers and handlers for a number of years, but a unified approach to the solution of the problem has only recently been developing.

DISCUSSION*

On the basis of the presentation of this problem to the committee, there is in prospect legislation to establish grades for dressed poultry. Discussion indicated that no final conclusion had, as yet, been reached as to whether or not such a grading law should be mandatory or permissive in character. The tendency, apparently, has been to make the operation of such a law dependent upon adherence to quality of the product indicated by a label or stamp attached thereto. As a consequence, enforcement would be to require the quality to be in accordance with the grade label on the product, which grade label would be in accordance with the several grades established. It was indicated that the administration of the act would be delegated to the State Department of Agriculture. It has come to the committee's attention that interested groups are planning to correlate the varying viewpoints at a further conference in January, 1947, after which this committee will be advised of their conclusions.

RECOMMENDATIONS

Your committee recommends that:

Those interested in developing legislation for state grading of dressed poultry and poultry meat make their specific request to the Fifty-seventh Legislature for such legislation after having reached substantial agreement as to the form such legislation should take.

Problem 8. Inspection at Rabbit Slaughtering Plants

It has been proposed to the committee that the State provide a system for the inspection of rabbit slaughtering plants in California.

DISCUSSION†

Various California rabbit raising groups have from time to time discussed the advisability of state inspection of rabbit meat offered for sale to the public and plant inspection to insure proper sanitation in and about structures used for rabbit slaughter. The industry is now of con-

* Summarized from statements made at Santa Cruz on October 31, 1946, by representatives of the Poultry Department of the California Farm Bureau Federation and others.

† Summarized from statement made at Los Angeles by Robert Batchelder, Manager, California Rabbit Cooperative, Bassett, Calif., and from other preliminary data.

siderable proportions, particularly in Los Angeles County, involving several million dollars annually. Currently, there is some local inspection based upon authority to maintain wholesomeness in quality of foods. Stamps are issued by Los Angeles City to cover sales and to aid in defraying costs of that inspection.

The specific request made to the committee was that provision be made to blanket rabbits into the regular state meat inspection provisions.

The present state law relating to meat inspection specifically exempts rabbits. New legislation would, therefore, be required before any voluntary or compulsory inspection of rabbits and rabbit slaughter houses under state authority could be accomplished.

Facts are set forth in a resolution of the Sonoma County Rabbit Breeders Association indicating the views of that group on the need for rabbit meat and slaughter plant inspection. In order to gain complete knowledge of all of the factors involved and the probable expense of adding the type of inspection requested more definite knowledge is needed. At the time of the preparation of this report only incomplete data is available.

Information has been received from the Department of Agriculture that rabbits are slaughtered commercially under a great variety of conditions. Based upon experience in meat inspection a trained inspector working in a plant having efficient equipment, including a moving chain for carcasses with a synchronized moving table with pans for viscera, could probably inspect between 250 and 300 rabbits per hour. Such a plant with modern assembly line type of operation will probably slaughter not less than 2,000 animals per day. The cost per animal under such a type of operation would probably not exceed 1 cent. However, in other types of plants where all of the handling must be done manually the cost could conceivably attain many times that amount.

Any preliminary estimate obviously does not include the inspection of the many small private plants where small numbers of animals are slaughtered on farms by producers. Such animals could only be checked for wholesomeness at retail outlets if reasonable inspection costs were to be maintained.

RECOMMENDATIONS

Your committee recommends that:

The State Department of Agriculture be requested to develop further information on this subject and report back to the committee in March, 1947.

Exhibit No. 1

Resolution dated October 8, 1946, from the Sonoma County Rabbit Breeders Association requesting investigation and proper legislation to correct unsanitary conditions and poorly equipped slaughter houses, and to provide for proper inspection.

SONOMA COUNTY RABBIT BREEDERS ASSOCIATION

MRS. WILLIAM OAKS, Secretary
Route 4, Box 68
Petaluma, California

At a regular meeting of the Sonoma County Rabbit Breeders Association held on October 8, 1946, the following resolution was duly adopted:

WHEREAS, It has been brought to our attention that domestic rabbits slaughtered for meat and offered for sale for human consumption in the State of California are being sold under improper and unsanitary conditions, to wit poorly equipped slaughterhouses, sold in a water soaked condition, delivered in unsanitary containers. We, the Sonoma County Rabbit Breeders Association, respectfully request that this condition be investigated and proper legislation be enacted at the next meeting of the California State Legislature to correct the above mentioned conditions and provide for proper inspection on same.

RESOLUTIONS

The following resolutions were offered:

By Senator Brown:

Senate Resolution No. 21

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly seven days per week, beginning Monday, January 6, 1947, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the respective amounts, and the Treasurer is hereby directed to pay the same.

	<i>Per day</i>
Cleve V. Taylor, Chief Assistant Secretary-----	\$15 00
Buster Peart, Assistant Secretary-----	12 00
Pat Rollins, Assistant Secretary-----	12 00
Med Anderson, Assistant Secretary-----	12 00
Esther Markham, Assistant Secretary-----	12 00
George Spaulding, History Clerk-----	12 00
N. L. Levering, Journal Clerk-----	12 00
Laura Prentice, Engrossing and Enrolling Clerk-----	12 00
Julian Lindsay, Assistant at Desk-----	10 00
Morgan Flagg, Assistant at Desk-----	10 00
Thomas A. Wright, Chief Assistant Sergeant-at-Arms-----	10 00

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Busch, Cunningham, DeLap, Desmond, Deuel, Dilinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

By Senators Quinn, Dilworth, and DeLap:

Senate Resolution No. 22

Relative to the continuance of the Senate Interim Committee on Veterans Affairs created by Senate Resolution No. 150 of the Fifty-sixth Session

Resolved by the Senate of the State of California, As follows:

1. The Senate Interim Committee on Veterans Affairs created by Senate Resolution No. 150 of the Fifty-sixth Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of four thousand five hundred dollars (\$4,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund

and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

COMMUNICATIONS

The following communications were received, read, and, on motion of Senator Powers, ordered printed in the Journal:

Opinions of Legislative Counsel

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, January 8, 1947

Honorable Harold J. Powers

*Chairman, Senate Committee on Rules
State Capitol, Sacramento, California*

Quarters for the Legislature—No. 752

DEAR SENATOR POWERS: You have asked us to advise you who has charge of the assignment of quarters, including quarters for the Legislature, in the State Capitol and, also, what changes are necessary so that the Legislature can assign quarters for itself, its committees, and its assistants.

It is our opinion that the power to assign quarters in the State Capitol is vested in the Department of Finance. In an opinion prepared by this office under date of February 15, 1944, a copy of which is enclosed, we have traced the history of the control of the State Capitol from the time of its construction to the present time. Section 13160 of the Government Code now contains the provision formerly in Section 716 of the Political Code which authorizes the Department of Finance to establish rules and regulations for the government and maintenance of state buildings and grounds.

We believe that legislation can readily be prepared which would require the Department of Finance to provide the Legislature with such quarters in the State Capitol as either house may request, or in some other similar manner enable the Legislature to obtain adequate space.

In the brief time available to answer your question, we have been unable to give consideration to whether or not a legislative body has any inherent powers to obtain office space for itself and its assistants without the enactment of legislation.

We also call your attention to the fact that the Joint Committee on Remodeling the Capitol was created by Senate Concurrent Resolution No. 68 of the last regular session. If it is deemed desirable to give further study to the problem here involved, you may wish to continue the existence of that committee.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

SACRAMENTO 2, CALIFORNIA, February 15, 1944

Jurisdiction of the Legislature over State Capitol Building—No. 279

You have inquired as to what jurisdiction the Legislature or either house thereof has over the State Capitol building, or any portion of it.

Article XX, Section I of the Constitution of California provides that the City of Sacramento shall be the seat of government in this State. There is, however, no constitutional provision with regard to the exercise of control or management of the State Capitol and other state buildings.

By Stats. 1856, page 110, the Legislature enacted a bill to construct a State Capitol in Sacramento. It appointed the Secretary of State, as ex officio superintendent of public buildings, and two others as commissioners to contract for its erection.

The Capitol was to be of such a plan and of such dimensions as to furnish suitable chambers for holding the sessions of the Senate and Assembly, together with not more than 20 committee rooms, and not more than 25 other rooms for the use and accommodation of the various state officers, Supreme Court and Library.

This act was superseded by Statutes of 1860, page 128, and amendments thereto, which also provided for the construction of a State Capitol at Sacramento.

This act, however, made no detailed mention of the use to which the building was to be put, but authorized the Board of Commissioners, composed of the Governor, Secretary of State, and three others to adopt such plans as in their judgment would best serve the purposes of the State.

In 1872, the Legislature enacted Section 412 of the Political Code making the Secretary of State the Superintendent of the State Capitol, with the duty of keeping it in good order and repair.

However, by Section 366 of the Political Code, the Governor, Secretary of State, and Treasurer still constituted the Board of State Capitol Commissioners, functioning under the Act of 1860, providing for the erection of the State Capitol.

By Statutes 1873-74, page 437, the Legislature gave to the Secretary of State authority to appoint certain employees for the Capitol building; and to the Board of

State Capitol Commissioners authority to appoint designated employees for the Capitol grounds.

By Statutes 1905, page 177, the Board of State Capitol Commissioners was authorized to remodel and repair the State Capitol building as outlined in the act.

In 1911, the Legislature revoked the authority of the Secretary of State to act as Superintendent of the State Capitol under Section 412, and by Statutes 1911, page 571, added Sections 716 and 717 to the Political Code, authorizing the Governor to appoint a Superintendent of Capitol Building and Grounds, with power to promulgate rules and regulations for the government of the Capitol building and grounds.

The Board of State Capitol Commissioners was abolished by Statutes 1921, page 1022. At that session (Statutes 1921, page 1027) the powers and duties of the Superintendent of Capitol Building and Grounds, under Sections 716 and 717 of the Political Code, were transferred to the newly created Department of Finance.

By Statutes 1927, page 449, the Legislature retransferred the duties of the Superintendent of Capitol Building and Grounds, under Sections 716 and 717, to the Department of Finance by new Section 681.

In 1933 (Statutes 1933, page 1273) the Legislature repealed Sections 716 and 717, and added a new Section 716, authorizing the Department of Finance to appoint and fix the salary of the Superintendent of Capitol Buildings and Grounds; with further power to the department to establish rules and regulations for the government and maintenance of the Capitol buildings and grounds, violation of which constitutes a misdemeanor.

In 1937 (Statutes 1937, page 484) the Legislature extended the jurisdiction of the Department of Finance to include all state buildings and grounds, with power to appoint a Chief of State Buildings and Grounds, and to establish rules and regulations for the government and maintenance of all state buildings.

This authority has not been changed since 1937.

The Legislature has established its own rules regarding the press. Joint Rule 32, subsections (d) and (e) provide:

"(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President of the Senate and the Speaker of the Assembly only to correspondents properly accredited in accordance with the provisions of this rule.

"(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the Press Room. The Press Room shall be under the control of the Superintendent of the Capitol Building and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly."

The Assembly, by Assembly Standing Rule No. 37, provides that

"Members shall be assigned to desks by the Chief of the Bureau of Buildings and Grounds, and, so far as possible, he shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly."

The authority granted to the Department of Finance by Political Code Section 716 to "establish rules and regulations for the government and maintenance of the state buildings and grounds" appears to give that department full jurisdiction over the State Capitol building. Any desired modification of that jurisdiction could, of course, be effected by appropriate legislation.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By ROSE M. JACOBSON, Assistant Counsel

ADJOURNMENT

At 11.55 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 11 a.m., Friday, January 10, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FIFTH LEGISLATIVE DAY

FIFTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, January 10, 1947

The Senate met at 11 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Crittenden, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator DeLap, on motion of Senator Swing, due to legislative business.

Senator Rich, on motion of Senator Swing, due to legislative business.

Senator Cunningham, on motion of Senator Powers, due to legislative business.

Senator McBride, on motion of Senator Powers, due to legislative business.

Senator Carter, on motion of Senator Powers, due to legislative business.

Senator Collier, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Leonora R. Busch of Lakeport, California.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

BAKERSFIELD, CALIFORNIA, January 9, 1947

*Hon. Joseph Beek, Secretary of Senate
State Capitol, Sacramento, California*

Please express to the Members of the Senate my sincere appreciation of the telegram of felicitations and best wishes transmitted through Hon. Harold J. Powers, President pro Tempore. It will interest you to know that I am recovering although slowly. I am still in the hospital and my release is uncertain at this time. Have been here since November sixth and my condition was very serious for about a month or five weeks, I am told by the physicians. Was attended by a specialist from Los Angeles. I will be on the floor as soon as my condition will permit me to make the trip to Sacramento. My regards to all the members and officers. I again express my appreciation of the attitude of the members toward me and for the resolution.

JESS R. DORSEY.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 62

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 12
Assembly Joint Resolution No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 62—An act to add Section 4041n to the Political Code, and Section 25660 to the Government Code, relating to the powers and duties of county boards of supervisors, declaring the urgency of this act and providing that it shall take effect immediately.

Referred to Committee on Local Government.

Assembly Concurrent Resolution No. 12—Relative to the selection of the Legislative Counsel of California.

Resolution ordered placed on third reading file.

Assembly Joint Resolution No. 4—Memorializing the President and the Congress of the United States in relation to providing funds to complete the Veterans Temporary Emergency Housing Program.

Request for Unanimous Consent

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 4, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 4

Assembly Joint Resolution No. 4—Memorializing the President and the Congress of the United States in relation to providing funds to complete the Veterans Temporary Emergency Housing Program.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senator Hugh M. Burns Presiding

At 11.10 a.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 9, 1947

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies.

Senate Concurrent Resolution No. 5—Relative to adjournment in respect to the memory of Steve Sodel;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the ninth day of January, 1947, at 11 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 9, 1947

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 2—Relative to Joint Rules of the Legislature;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the ninth day of January, 1947, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 9, 1947

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 11

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 10, 1947

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 10

Senate Joint Resolution No. 1

And reports the same correctly engrossed.

POWERS, Chairman

RESOLUTIONS

The following resolution was offered:

By Senator Busch:

Senate Resolution No. 23
Relative to Arthur R. O'Brien

WHEREAS, In the death of Arthur R. O'Brien in San Francisco, January 7, 1947, the State of California has lost a most distinguished citizen; and

WHEREAS, Arthur R. O'Brien was born August 9, 1880, near Dubuque, Iowa, and upon graduation from Santa Clara University, California, in 1898, entered upon newspaper work which took him through the varied experiences of that profession in Cuba, Panama, Alaska, Oregon, and finally California, where in 1920 he became publisher of the Ukiah *Republican Press*, and took an active part in civic and political affairs, becoming President of the State Board of Prison Directors; and

WHEREAS, Arthur R. O'Brien was one of the first to grasp the vision of a bridge across San Francisco's famed Golden Gate to join the metropolis with the rich and beautiful lands to the north, and devoted himself to the project for 18 years, and to the time of his death, as a Director of the Golden Gate Bridge District, which not only brought to completion construction of the magnificent Golden Gate Bridge but fought for an adequate system of highways and approaches to the bridge to make it of increasing service to all the people and to the economic life of the State; now, therefore, be it

Resolved by the Senate of the State of California. That the Members of this Senate by this resolution express their profound regret upon learning of the death of Arthur R. O'Brien, bringing to an end a career of great public service to the people of California; and be it further

Resolved. That the Secretary of the Senate is requested to send suitably prepared copies of this resolution to Mrs. Margaret McLelland O'Brien as an expression of their esteem for Arthur R. O'Brien and their deep sympathy to her in her bereavement; and be it further

Resolved. That when this Senate this day adjourns it do so out of respect to the memory of Arthur R. O'Brien.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Breed, Brown, Burns, Busch, Crittenden, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 62

Senator Tenney moved that Assembly Bill No. 62 be withdrawn from Committee on Local Government for purpose of amendment, and be re-referred to Committee on Rules.

Motion carried.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Senator Tenney:

Resolved, That Assembly Bill No. 62 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second time.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 62

Assembly Bill No. 62—An act to add Section 4041n to the Political Code, and Section 25660 to the Government Code, relating to the powers and duties of county boards of supervisors, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read second time.

Motion to Amend

Senator Tenney moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "25660", and insert "25560".

Amendment No. 2

On page 1, line 11, of said bill, strike out "25660", and insert "25560".

Amendment No. 3

On page 1, line 13, of said bill, strike out "25660", and insert "25560".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 30

Senator Crittenden moved that Senate Bill No. 30 be withdrawn from Committee on Finance, and referred to Committee on Rules.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 34: By Senator Slater—An act to amend Section 1 of an act entitled "An act to suspend those provisions of Article XI, Section 5, of the Constitution relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately," approved January 24, 1945, relating to the compensation of county, township, and municipal officers, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Rules.

Senate Bill No. 35: By Senator Dillinger—An act to amend Section 156 of the Vehicle Code, relating to motor vehicle license plates.

Referred to Committee on Transportation.

Senate Bill No. 36: By Senator Dillinger—An act to amend Section 13424 of the Education Code, relating to teachers' institutes.

Referred to Committee on Education.

Senate Bill No. 37: By Senator Judah—An act to amend Sections 2020, 2186, and 2187 of the Welfare and Institutions Code, to repeal Sections 2021, 2021.01, 2025, and 2187.01 thereof, and to amend and renumber Section 2021.001 thereof, relating to aid to the aged, increasing the amount thereof, and making an appropriation.

Referred to Committee on Welfare and Institutions.

Senate Bill No. 38: By Senator Judah—An act to amend Sections 1520 and 1521 of, and to add Section 1521.2 to the Welfare and Institutions Code, relating to property qualifications for aid to needy children.

Referred to Committee on Welfare and Institutions.

Senate Bill No. 39: By Senators Rich and Swing—An act to amend Section 50 of the Fish and Game Code, relating to game management area.

Referred to Committee on Fish and Game.

Senate Bill No. 40: By Senator Hatfield—An act to amend Section 737t of the Political Code, relating to the salary of the judge of the Superior Court in and for the County of Madera.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 41: By Senator Hatfield—An act to amend Section 4253 of the Political Code and Section 28124 of the Government Code, relating to the compensation for public service in counties of the twenty-fourth class.

Referred to Committee on Local Government.

Senate Bill No. 42: By Senator Hatfield—An act to amend Section 1 of an act entitled "An act to suspend those provisions of Article XI, Section 5, of the Constitution, relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately," approved January 24, 1945, relating to the compensation of county, township, and municipal officers, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 43: By Senator Hatfield—An act to amend Section 737x of the Political Code, relating to salaries of judges of Merced County.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 44: By Senator Hatfield—An act to amend Section 737x of the Political Code, relating to judges' salaries.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 45: By Senator Brown—An act to repeal Sections 2 and 5 of and to add new Sections 2 and 5 to an act entitled "An act relating to real property of a city, county, or city and county, situate without the territorial boundaries of the owner, prescribing regulations concerning the handling and disposition of such property, whether by sale, lease, license or otherwise, and providing for the administration and enforcement of the provisions of this act," approved July 12, 1945, and to add new Sections 2 and 5 to said act, relating to the handling and disposition of such real property, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 46: By Senator Deuel—An act to add Section 20702 to the Water Code, relating to the formation of irrigation districts.

Referred to Committee on Water Resources.

Senate Bill No. 47: By Senator Keating—An act to add Section 417 to the Code of Civil Procedure, relating to personal judgments against persons outside this State.

Referred to Committee on Judiciary.

Senate Bill No. 48: By Senator Deuel—An act to add Section 14 $\frac{1}{2}$ to the County Waterworks District Act, relating to the dissolution of county waterworks districts and the disposition of property of county waterworks districts.

Referred to Committee on Water Resources.

Senate Bill No. 49: By Senator Keating—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons.

Referred to Committee on Judiciary.

Senate Bill No. 50: By Senators Breed and Desmond—An act to revise the Municipal Utility District Act, relating to municipal utility districts, including provisions for the organization, incorporation and government of such districts.

Referred to Committee on Local Government.

Senate Bill No. 51: By Senator Mayo—An act to amend Section 4275 of the Political Code and Section 28146 of the Government Code, relating to compensation for public services in counties of the forty-sixth class.

Referred to Committee on Local Government.

Senate Bill No. 52: By Senator Mayo—An act to amend Section 4279 of the Political Code and Section 28150 of the Government Code, relating to compensation for public services in counties of the fiftieth class.

Referred to Committee on Local Government.

Senate Bill No. 53: By Senator Mayo—An act to amend Section 4282 of the Political Code and Section 28153 of the Government Code, relating to compensation for public services in counties of the fifty-third class.

Referred to Committee on Local Government.

Senate Bill No. 54: By Senator Jespersen—An act to amend Section 737nn of the Political Code, relating to the salaries of judges of the superior court.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 55: By Senator Ward—An act to amend Sections 11 and 44.2 of the Unemployment Insurance Act, relating to unemployment insurance, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Welfare and Institutions.

Senate Concurrent Resolution No. 13: By Senators O'Gara and Tenney—Relative to the creation of a Committee to Investigate and Report Upon the Housing Problem in California with particular reference to veterans housing.

Referred to Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 48

Senator Deuel moved that Senate Bill No. 48 be withdrawn from Committee on Local Government, and referred to Committee on Water Resources.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 4

Senator Quinn moved that Senate Bill No. 4 be withdrawn from Committee on Military and Veterans Affairs, and referred to Committee on Rules.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT

Senator Slater asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 12, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 12

Assembly Concurrent Resolution No. 12—Relative to the selection of the Legislative Counsel of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Desmond, Deuel, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 10, 1947

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Senate Resolution No. 19

Senate Resolution No. 20

Senate Resolution No. 22

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolutions ordered to third reading.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Resolution No. 20—Relating to the continuance of the Senate Interim Committee on Workmen's Compensation Benefits, created by Senate Resolution No. 34 of the Fifty-sixth (First Extraordinary) Session.

Resolved by the Senate of the State of California, As follows:

1. The Senate Interim Committee on Workmen's Compensation Benefits created by Senate Resolution No. 34 of the Fifty-sixth (First Extraordinary) Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of six thousand seven hundred dollars (\$6,700) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund of the Senate and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jepsersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Senate Resolution No. 19—Relative to the continuance of the Senate Committee on Local Governmental Agencies, created by Senate Resolution No. 129 of the Fifty-sixth Regular Session.

Resolved by the Senate of the State of California, As follows:

1. The Senate Committee on Local Governmental Agencies created by Senate Resolution No. 129 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Senate Resolution No. 22—Relative to the continuance of the Senate Interim Committee on Veterans Affairs created by Senate Resolution No. 150 of the Fifty-sixth Session.

Resolved by the Senate of the State of California, As follows:

1. The Senate Interim Committee on Veterans Affairs created by Senate Resolution No. 150 of the Fifty-sixth Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

4. The sum of four thousand five hundred dollars (\$4,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 20

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 20—Approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the fifth day of November, 1946.

Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 20, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 20

Assembly Concurrent Resolution No. 20—Approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the fifth day of November, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 10—Relative to the continuance of the Joint Fact-Finding Committee on Un-American Activities created by Resolutions Chapter No. 143 of the Fifty-sixth Regular Session.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

ADJOURNMENT

At 11.50 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 11 a.m., Monday, January 13, 1947, out of respect to the memory of Arthur R. O'Brien.

JOHN F. LEA, Minute Clerk.

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

SIXTH LEGISLATIVE DAY

EIGHTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, January 13, 1947

The Senate met at 11 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rien, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator DeLap, on motion of Senator Powers, due to legislative business.

Senator Salsman, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Charolene Lollier of Los Angeles.

On request of Senators O'Gara and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Elizabeth Kelly of San Francisco.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Roberta Williams of Sacramento.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 13, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 22

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 22—Relative to approving certain amendments to the charter of the City of Glendale, a municipal corporation of the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on November 5, 1946.

Resolution ordered placed on third reading file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, JANUARY 13, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 4—Relative to the continuance of the Joint Legislative Committee on Agriculture and Livestock Problems created by Resolutions Chapter No. 141 of the Fifty-sixth Regular Session;

And reports that the same has been correctly enrolled and presented to the Secretary of State on the thirteenth day of January, 1947, at 11 a.m.

POWERS, Chairman

Motion to Approve Journals

Senator Powers moved that the Journals for Monday, January 6, 1947, Tuesday, January 7, 1947, Wednesday, January 8, 1947, Thursday, January 9, 1947, and Friday, January 10, 1947 be approved as corrected by the Journal Clerk and Minute Clerk.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 56: By Senator Slater—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings and bonds of public bodies, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 57: By Senator Weybret—An act making an appropriation for the acquisition of land in Monterey County as part of the State Park System.

Referred to Committee on Natural Resources.

Senate Bill No. 58: By Senator Weybret—An act to amend Sections 85 and 86 of the Fish and Game Code, relating to districts.

Referred to Committee on Natural Resources.

Senate Bill No. 59: By Senator Watson—An act to amend Section 4240 of the Political Code and Section 28111 of the Government Code, relating to compensation for public services in counties of the eleventh class.

Referred to Committee on Local Government.

Senate Bill No. 60: By Senator McBride—An act to amend Section 4248 of the Political Code and Section 28119 of the Government Code, relating to compensation for public services in counties of the nineteenth class.

Referred to Committee on Local Government.

Senate Bill No. 61: By Senator McBride—An act to amend Section 8 of the Ventura County Flood Control Act, relating to salaries of district supervisors.

Referred to Committee on Local Government.

Senate Bill No. 62: By Senators McBride and Jespersen—An act to add Chapter 12, comprising Sections 4950.01 to 4950.50, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of naturopathy.

Referred to Committee on Business and Professions.

Senate Bill No. 63: By Senator Judah—An act to amend Section 506.6 of the Public Resources Code, relating to the powers and duties of the State Park Commission respecting shore line protection, improvement and development of state or publicly owned beaches, and to appointment of a Beach Erosion Control Engineer.

Referred to Committee on Natural Resources.

Senate Bill No. 64: By Senator Breed—An act to amend Sections 164, 181, 222 of, to repeal Section 146.5 of, and to add Section 182.1 to, the Vehicle Code, relating to the registration and transfers of registration of vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Transportation.

Senate Bill No. 65: By Senators Hatfield and Rich—An act to amend Sections 2821 and 2827 of the Elections Code, relating to state central committees of political parties.

Referred to Committee on Elections.

Senate Bill No. 66: By Senator Mayo—An act to amend Section 1 of an act entitled "An act to suspend those provisions of Article XI, Section 5, of the Constitution, relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately," approved January 24, 1945, relating to the compensation of county, township, and municipal officers, declaring the urgency hereof, and providing that this act shall take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 67: By Senator Mayo—An act to add Article 3 to Chapter 2, Division 1, of the Education Code, relating to county superintendents of schools.

Referred to Committee on Education.

Senate Bill No. 68: By Senator Mayo—An act to add Sections 446, 450, and 453 to the Education Code, relating to the qualifications and salaries of county superintendents of schools.

Referred to Committee on Education.

Senate Constitutional Amendment No. 2: By Senator Mayo—Proposed amendment to Section 22 of Article XX of the Constitution, relative to intoxicating liquors.

Referred to Committee on Governmental Efficiency.

Senate Concurrent Resolution No. 14: By Senator Powers—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Senator Hatfield:

Senate Resolution No. 24

Relative to congratulating Senator Jack B. Tenney upon his marriage

WHEREAS, During recent months while far from the restraining influence of his colleagues and cares of State, the esteemed Senator from Los Angeles fell victim to the darts of that small boy usually clad only in the bow with which he dispatches his arrows tipped with irresistible love potions; and

WHEREAS, The Members of this Senate take great pleasure in seeing this redoubtable knight of California's Upper House thus subdued and safely embarked upon the sea of wedded bliss; now, therefore, be it

Resolved by the Senate of the State of California, That the Members of this Senate heartily congratulate Jack B. Tenney upon his marriage, and extend to Jack and his lovely bride felicitations and good wishes for many happy years; and be it further

Resolved, That the Secretary of the Senate is requested to transmit a suitably prepared copy of this resolution to Senator and Mrs. Jack B. Tenney, which resolution, subject to the convenience of the State Printer and the availability of artistic talent, might well bear an appropriate border of gentle turtle doves resting on olive branches, as a constant reminder to this high flying eagle of the vast southern district that he is now a domesticated bird content to nestle on his own perch.

Resolution read, and, on motion of Senator Hatfield, adopted.

NOTICE TO AMEND STANDING RULES

Senator Powers gave notice that on the next legislative day, in accordance with the provisions of Rule 21, he will move to amend the Standing Rules of the Senate as follows:

Proposed Amendment to Rules

Relative to amending Rule No. 12 of the Standing Rules of the Senate regarding *standing committees*

Resolved by the Senate of the State of California, That Rule No. 12 of the Standing Rules of the Senate be amended to read:

Standing Committees
12. The standing committees of the Senate, the number of members, and subjects to be referred to each are as follows:

1. Agriculture, 11 members. All bills amending the Agricultural Code and uncoded legislation relating to the same subject.

2. Business and Professions, 9 members. All bills amending the Business and Professions Code and uncoded legislation relating to the same subjects.

3. Education, 9 members. All bills amending the Education Code or relating to the University of California and any uncoded legislation relating to either.

4. Elections, 9 members. All bills amending the Elections Code or uncoded legislation relating to the same subject and constitutional amendments, after consideration by committees having jurisdiction of the appropriate subjects, for consideration of any question relating to submission to the voters.

5. Finance, 11 members. All appropriation bills including the Budget Bill and claim bills but excepting appropriations from the funds of the Senate made by resolution.

6. Financial Institutions, 9 members. All bills amending the Insurance Code and bills amending the Bank Act, Building and Loan Act, Corporate Securities Act and acts relating to the loan of money and credit unions, and any other legislation relating to these subjects.

7. Fish and Game, 11 members. All bills amending the Fish and Game Code, and uncoded legislation relating to the same subject.

8. Governmental Efficiency, 11 members. All legislation not specifically referred to another committee relating to:

- a. State policy
- b. New state functions
- c. State property
- d. Reorganization
- e. State employees

9. Institutions, 9 members. All bills relating to the State Department of Institutions, or to institutions under its jurisdiction including:

- a. State hospitals
- b. Home for the Feeble-minded
- c. Inebriate colonies
- d. Institutions for delinquents
- e. Home for the Blind
- f. Industrial workshops
- g. Any other institutions of a similar nature; and

All bills relating to the Youth Authority and to institutions under its jurisdiction.

10. Judiciary, 12 members. All bills amending the following codes:

- a. Civil Code
- b. Code of Civil Procedure
- c. Probate Code
- d. Penal Code, and

e. All statutes of a penal nature not related closely to a subject embraced in some other code.

11. Labor, 7 members. All bills amending the Labor Code and uncoded legislation relating to the same subject.

12. Local Government, 9 members. All bills relating to:

- a. County government
- b. Municipal corporations
- c. Special assessment and other local districts when not regulated by the provisions of some other code and uncoded legislation on the above subjects.

13. Military and Veterans Affairs, 9 members. All bills amending the Military and Veterans Code and uncoded legislation relating to the same subjects.

14. Natural Resources, 9 members. All bills amending the Public Resources Code and uncoded legislation relating to mines and mining, oil, forestry, parks, and to the public domain.

15. Public Health and Safety, 9 members. All bills amending the Health and Safety Code and uncoded legislation relating to the same subjects.

16. Public Utilities, 7 members. All legislation relating to public utilities and their regulation and not embraced within any other code.

17. Revenue and Taxation, 11 members. All bills amending the Revenue and Taxation Code and other uncoded legislation relating to state and county taxes.

18. Rules, 5 members. All proposed amendments to the Rules, and all resolutions relating to the business of the Senate which are not acted upon without reference to committee.

19. Social Welfare, 9 members. All bills relating to the Department of Social Welfare, or to aid to the aged, to the blind, to children, to the unemployed, to the indigent and to other public assistance.

20. Transportation, 13 members. All bills amending the

- a. Vehicle Code
- b. Streets and Highways Code

c. Harbors and Navigation Code, and

d. Uncodified legislation relating to the same subjects or to aviation.

21. Water Resources, 9 members. All bills amending the Water Code and uncodified legislation relating to the same subject.

The standing committees of any regular session shall be the standing committees of succeeding special or extraordinary sessions unless otherwise ordered by the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 13, 1947

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Bill No. 30

Senate Bill No. 33

Senate Bill No. 34

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported bills ordered to second reading.

MOTION TO SUSPEND SENATE RULE

Senator Powers moved that Rule 12, Section 5, of the Standing Rules of the Senate be suspended temporarily for the purpose of considering Senate Bill No. 30.

The roll was called, and the motion carried by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Mayo, McBride, O'Garra, Parkman, Powers, Quinn, Rich, Swing, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 30—An act making an appropriation for the purchase of land for Stockton State Hospital, repealing Chapter 1460 of the Statutes of 1945, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 30:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 13, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Senate Bill No. 30, "An act making an appropriation for the purchase of land for Stockton State Hospital, repealing Chapter 1460 of the Statutes of 1945, and declaring the urgency thereof, to take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 30 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Resolution to Suspend Constitutional Provision

The following resolution was offered :

By Senator Crittenden :

Resolved, That Senate Bill No. 30 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 30

Senate Bill No. 30—An act making an appropriation for the purchase of land for Stockton State Hospital, repealing Chapter 1460 of the Statutes of 1945, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 22, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 22

Assembly Concurrent Resolution No. 22—Relative to approving certain amendments to the Charter of the City of Glendale, a municipal corporation of the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on November 5, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 13, 1947

MR. PRESIDENT : The Committee on Rules, to which were referred :

Senate Bill No. 4

Assembly Bill No. 62

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, and do pass, as amended.

Committee membership 5 ; committee vote : Ayes 4 ; absent 1.

POWERS, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 13, 1947

MR. PRESIDENT : The Committee on Rules, to which was referred :

Senate Concurrent Resolution No. 13

Has had the same under consideration, and reports the same back with amendments with the recommendation : Amend, and be adopted, as amended.

Committee membership 5 ; committee vote : Ayes 4 ; absent 1.

POWERS, Chairman

Above reported resolution ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 33—An act authorizing the sale of certain Folsom State Prison property to the City of Folsom, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 34—An act to amend Section 1 of an act entitled "An act to suspend those provisions of Article XI, Section 5, of the Constitution, relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately," approved January 24, 1945, relating to the compensation of county, township, and municipal officers, declaring the urgency hereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 4—An act making an appropriation to the Department of Veterans Affairs for the purpose of providing educational assistance for veterans, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "one million dollars (\$1,000,000)", and insert "one million three hundred eight thousand eight hundred fifty-four dollars and seventy-one cents, (\$1,308,854.71)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Concurrent Resolution No. 13—Relative to the creation of a Committee to Investigate and Report Upon the Housing Problem in California with particular reference to veterans housing.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2, line 20, of the printed resolution, strike out, "March 15, 1947", and insert "the last day of the Fifty-seventh Regular Session of the Legislature".

Amendment read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 62—An act to add Section 4041n to the Political Code, and Section 25560 to the Government Code, relating to the powers and duties of county boards of supervisors, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "4041n", and insert "4041p".

Amendment No. 2

On page 1, line 1, of said bill, strike out "4041n", and insert "4041p".

Amendment No. 3

On page 1, line 3, of said bill, strike out "4041n", and insert "4041p".

Amendment No. 4

On page 2, line 5, of said bill, strike out "4041n", and insert "4041p".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator Deuel, ordered printed in the Journal:

Opinion of Legislative Counsel

OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO 2, January 10, 1947

Honorable Charles H. Deuel
Senate Chamber, State Capitol
Sacramento, California

COUNTY SUPERINTENDENTS OF SCHOOLS—No. 715

DEAR SENATOR DEUEL: We have your request of January 8, 1947, asking us the effect of the adoption of Section 3.1 of Article IX. of the Constitution, especially as to the effect in Butte County where the charter fixes the salary.

Section 3.1 of Article IX reads:

"Notwithstanding any provision of this Constitution to the contrary, the Legislature shall prescribe the qualifications required of county superintendents of schools and shall fix their salaries, and for these purposes shall classify the several counties in the State."

This amendment clearly requires legislative action and makes such action superior to any preexisting law, either charter or ordinance, fixing the qualifications and salaries of the county superintendents of schools.

The effect of a constitutional amendment transferring power from the board of supervisors to the Legislature was considered by the District Court of Appeals in *In re Cole* (1909), 12 Cal. App. 290, the only California case we can find on the subject. The court held the amendment to be prospective and not retrospective in its operation, and did not expressly, nor by implication, affect any prior legislation by the board of supervisors valid at the time of its enactment.

In reaching its conclusion the court adopted the rule applied at the adoption of the Constitution, stated in Article XXII:

"That no inconvenience may arise from the alterations and amendments in the Constitution of this State, and to carry the same into complete effect, it is hereby ordained and declared:

"Section 1. That all laws in force at the adoption of this Constitution, not inconsistent therewith, shall remain in full force and effect until altered or repealed by the Legislature; and all rights, actions, prosecutions, claims, and contracts of the State, counties, individuals, or bodies corporate, not inconsistent therewith, shall continue to be as valid as if this Constitution had not been adopted . . ."

The court held that the same rule must apply to amendments.

Until the Legislature can act upon the matter, it would appear that the county superintendents of schools shall have the same qualifications and receive the same salaries provided by charter or ordinance at the effective date of the constitutional provision.

Consequently, no legislation is required to keep present charter provisions and ordinances in effect until the Legislature enacts a qualification and salary act.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOSEPH L. KNOWLES, Deputy

RESOLUTIONS

The following resolution was offered:

By Senators Hatfield, Cunningham, Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jaspersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Surton, Swing, Tenney, Ward, Watson, Weybret, and Williams:

Senate Resolution No. 25

Relative to sending good wishes to Senator Jess R. Dorsey

WHEREAS, Senator Jess R. Dorsey has been ill and was unable to attend the sessions of the Fifty-seventh Legislature of California upon its convening January 6, 1947; and

WHEREAS, He is very greatly missed by his friends and colleagues in the Senate; now, therefore, be it

Resolved by the Senate of the State of California, That the Members of this Senate extend to Senator Jess R. Dorsey their sympathy in his illness; and be it further

Resolved, That the Secretary of the Senate is requested to send a suitably prepared copy of this resolution to Senator Dorsey as an expression of the kind good wishes of the Members of the Senate for his speedy recovery and early return to his accustomed place among them.

Resolution read, and, on motion of Senator Hatfield, adopted.

COMMUNICATIONS

The following communications were received, read, and, on motion of Senator Kraft, ordered printed in the Journal:

ASSEMBLY CHAMBER, SACRAMENTO,
January 13, 1947

*Honorable Fred H. Kraft,
Senate Chamber, State Capitol,
Sacramento, California*

DEAR SENATOR KRAFT: Forty copies of the Assembly Health Care Investigating Interim Committee's report have this day been delivered to the Sergeant-at-Arms of your house and, if it meets with your approval, I desire that you request that a copy be distributed to each Member of the Senate.

As a former member of the committee you are well aware that it was the unanimous opinion of the committee that our studies be conducted along lines that would, to the extent possible in the time at our disposal, determine the measure of the expected incidence of claims arising under existing plans providing prepaid medical care and, also, some valid estimates of the probable costs of furnishing medical and hospital care.

All the arguments made on a social or political basis have been repeated time and time again—but this is a problem which must be settled on facts and not emotion.

A continuing study of the subject made by myself since the committee filed its report last July has convinced me of the fallacy of the argument that by increasing the size of the insured group the costs of providing the medical care can be substantially lowered.

Increasing the number of insured merely serves to balance selection and anti-selection—the morbidity rate or incidence of illness in every thousand persons, rich or poor, remains remarkably constant and is influenced more by climatic and seasonal conditions and the proportion of female and infant persons than by other factors.

The various tabulations and the actuarial studies contained in the report support the above contention and it is my hope that Members of the Legislature will consider these factors in drafting and presenting any bills bearing on the subject.

It is my sincere desire that the report will prove of value to the people of this State as we earnestly search for a possible solution to the problem.

Sincerely yours,

ERNEST R. GEDDES
Member of the Assembly, Forty-ninth District

SENATE, CALIFORNIA LEGISLATURE
January 13, 1947

Rules Committee of the Senate

GENTLEMEN: I hereby resign as a member of the California Commission on Interstate Cooperation, effective immediately.

SENATOR CUNNINGHAM

Communication read, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 9, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 30

And reports the same correctly engrossed.

POWERS, Chairman

**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

Senate Concurrent Resolution No. 11—Relative to the continuance of the Joint Committee on Insurance created by Resolutions Chapter 140 of the Fifty-sixth Regular Session.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Denel, Dillinger, Hatfield, Hulse, Jush, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

ADJOURNMENT

At 11.58 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 11 a.m., Tuesday, January 14, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

SEVENTH LEGISLATIVE DAY
NINTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, January 14, 1947

The Senate met at 11 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Brown, Burns, Buseh, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kenting, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Breed, on motion of Senator Powers, due to legislative business.

Senator McBride, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge Twain Michelsen and Lt. John W. Stansfield, both of San Francisco.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Prof. Robert H. Connery, Stanford University, Palo Alto; and Tad B. Spitzer of Berkeley.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Genevieve Daugherty of Los Angeles, Mrs. Agnes C. Richmond of Beverly Hills, and Mr. E. B. Du Bain of Los Angeles.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 13, 1947

MR. PRESIDENT: The Committee on Rules reports that it has appointed Senator Brown as a member of the Senate Committee on Interstate Cooperation, to succeed Senator Cunningham, resigned.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 13, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 33

Senate Bill No. 34

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 14, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 4

And reports the same correctly engrossed.

POWERS, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Joint Resolution No. 2: By Senators Hatfield, Powers, Hulse, Sutton, and Burns—Relative to memorializing and petitioning the Congress of the United States to pass appropriate legislation to control and eradicate and prevent from entrance into this Country of the disease of animals known as foot-and-mouth disease (aphthous fever) now present among animals of several states of the Republic of Mexico.

Request for Unanimous Consent

Senator Hatfield asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 2, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 2

Senate Joint Resolution No. 2—Relative to memorializing and petitioning the Congress of the United States to pass appropriate legislation to control and eradicate and prevent from entrance into this Country of the disease of animals known as foot-and-mouth disease (aphthous fever) now present among animals of several states of the Republic of Mexico.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

Senate Bill No. 69: By Senator Tenney—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners

in counties, or cities and counties, having a population of 2,000,000 or over.

Referred to Committee on Local Government.

Senate Bill No. 70: By Senator Tenney—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Referred to Committee on Local Government.

Senate Bill No. 71: By Senator Tenney—An act to add Section 261c to the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Referred to Committee on Local Government.

Senate Bill No. 72: By Senator Tenney—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more.

Referred to Committee on Local Government.

Senate Bill No. 73: By Senator Tenney—An act to add Section 204h to the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary and clerks.

Referred to Committee on Judiciary.

Senate Bill No. 74: By Senator Tenney—An act to amend Section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class and the number thereof.

Referred to Committee on Judiciary.

Senate Bill No. 75: By Senator Tenney—An act to amend Section 736b of the Political Code, relating to salaries of judges of the superior court.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 76: By Senator Tenney—An act to amend Section 117 of the Code of Civil Procedure, relating to small claims courts.

Referred to Committee on Judiciary.

Senate Bill No. 77: By Senator Tenney—An act to amend Section 822 of the Penal Code, relating to admission to bail.

Referred to Committee on Judiciary.

Senate Bill No. 78: By Senator Tenney—An act to amend Sections 9540 and 9542 of the Business and Professions Code, and to add a new Article 4.5, consisting of Sections 9556 to 9559.5, inclusive, to Chapter 18, Division 3, of said code, providing for a method of marking articles accepted for cleaning, dyeing, steam cleaning, spotting, sponging, or pressing, to facilitate the identification of such articles by law enforcement agencies.

Referred to Committee on Business and Professions.

Senate Bill No. 79: By Senator Tenney—An act to add Section 1292 to the Military and Veterans Code, relating to headquarters for the

United Spanish War Veterans, Department of California, and making an appropriation.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 80: By Senator Tenney—An act to add Part 10 to Division 3 of Title 2 of the Government Code, creating a Commission on Political and Economic Equality, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 81: By Senator Tenney—An act to amend Section 737s of the Political Code, relating to the salary of judges of the superior court.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 82: By Senator Tenney—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners in municipal courts in cities of the first and one-half class.

Referred to Committee on Local Government.

Senate Bill No. 83: By Senator Tenney—An act to amend Section 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Referred to Committee on Local Government.

Senate Bill No. 84: By Senator Tenney—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Referred to Committee on Local Government.

Senate Bill No. 85: By Senator Tenney—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Referred to Committee on Local Government.

Senate Bill No. 86: By Senator Tenney—An act to amend Section 7d of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to compensation of court reporters in municipal courts in cities of the first and one-half class.

Referred to Committee on Local Government.

Senate Bill No. 87: By Senator Tenney—An act to add Section 7e to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the office of secretary and jury commissioner in municipal courts in cities of the first and one-half class.

Referred to Committee on Local Government.

Senate Bill No. 88: By Senator Tenney—An act to amend Section 12 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to residential qualifications of attaches of municipal courts.

Referred to Committee on Local Government.

Senate Bill No. 89: By Senator Tenney—An act to amend Section 28a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to acceptance of bail and duties of commissioners in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Senate Bill No. 90: By Senator Tenney—An act to amend Section 1203 of the Penal Code, relating to granting of probation.

Referred to Committee on Judiciary.

Senate Bill No. 91: By Senator Tenney—An act to amend Section 10b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and one-half class, and the marshals and attaches thereof.

Referred to Committee on Local Government.

Senate Bill No. 92: By Senator Tenney—An act to amend Section 1216 of the Penal Code, relating to the time imprisonment in state prison begins to run.

Referred to Committee on Judiciary.

Senate Bill No. 93: By Senator Tenney—An act to amend Section 1407 of the Elections Code, relating to the initiative.

Referred to Committee on Elections.

Senate Bill No. 94: By Senator Tenney—An act to establish minimum salaries for officers and employees of police and fire departments.

Referred to Committee on Local Government.

Senate Bill No. 95: By Senator Tenney—An act to amend Section 19620 and to repeal Section 19627 of the Business and Professions Code, relating to appropriations from the Fair and Exposition Fund and providing for the return of certain moneys therein to the counties in which race tracks are located.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 96: By Senator Tenney—An act to add Section 11021 to the Business and Professions Code, relating to real estate subdivision.

Referred to Committee on Business and Professions.

Senate Bill No. 97: By Senators Tenney, Burns, Kraft, Dilworth, Watson, Weybret, Busch, Parkman, Desmond, Gordon, and Quinn—An act to add Section 13521.5 to the Education Code, relating to dismissal of teachers.

Referred to Committee on Education.

Senate Bill No. 98: By Senator Tenney—An act to add Chapter 4, comprising Sections 2125 to 2133, inclusive, to Division 3 of the Streets and Highways Code, relating to city, city and county, and county contracts for street and highway work.

Referred to Committee on Transportation.

Senate Bill No. 99: By Senator Mayo—An act reappropriating to the Department of Public Works for expenditure exclusively for surveying projects for the control, conservation and utilization of water resources for any beneficial purpose required for mountainous areas of this State, the unexpended and unencumbered balance of funds appropriated by the Flood Control Fund Act of 1946, approved March 12, 1946, and allocated to the Department of Public Works by Section 15 of said act; repealing said Section 15 of said act; declaring the urgency of this act, to take effect immediately.

Referred to Committee on Water Resources.

Senate Bill No. 100: By Senator Cunningham—An act to amend Section 4257 of the Political Code and Section 28128 of the Government Code, relating to compensation for public services in counties of the twenty-eighth class.

Referred to Committee on Local Government.

Senate Bill No. 101: By Senator Keating—An act to amend Section 226 of the Civil Code, relating to adoptions.

Referred to Committee on Judiciary.

Senate Bill No. 102: By Senator Keating—An act to amend Section 224m of the Civil Code, relating to adoption.

Referred to Committee on Judiciary.

Senate Bill No. 103: By Senator Keating—An act to amend Section 227b of the Civil Code, relating to adoptions.

Referred to Committee on Judiciary.

Senate Bill No. 104: By Senator Keating—An act to add Section 255m to the Civil Code, relating to adoptions.

Referred to Committee on Judiciary.

Senate Bill No. 105: By Senator Keating—An act to amend Section 551 of the Welfare and Institutions Code, relating to children.

Referred to Committee on Judiciary.

Senate Bill No. 106: By Senator Keating—An act to add Section 226m to the Civil Code, relating to adoption.

Referred to Committee on Judiciary.

Senate Bill No. 107: By Senator Keating—An act relating to adoptions and making an appropriation therefor.

Referred to Committee on Judiciary.

Senate Bill No. 108: By Senator Keating—An act to add Section 225p to the Civil Code, relating to adoptions and making an appropriation therefor.

Referred to Committee on Judiciary.

Senate Bill No. 109: By Senators O'Gara and Tenney—An act to establish a State Housing Authority, prescribing its powers and duties, providing for housing for persons of low income and others, for cooperation with local housing authorities established under the Housing Authorities Law, making the provisions of said law applicable to the State Housing Authority insofar as consistent with this act, making an appropriation, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 110: By Senators Salsman, Keating, Tenney, O'Gara, and Hatfield—An act to amend Sections 1, 2, 3, 5, and 6 of the Judges' Retirement Act, to amend and renumber Section 1.5 thereof to be Section 1.2, to add Sections 1.1, 1.3, 1.4, and 1.5 thereto, and to repeal and add Section 4 thereof, and to add Section 1.5 to the Judges' Retirement Fund Act, and amend Sections 2, 3, 4, and 4.5 thereof, relating to retirement, with retirement allowances, of judges and justices, and to contributions to the Judges' Retirement Fund to provide such retirement allowances.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 111: By Senator DeLap—An act to amend Section 204a of the Code of Civil Procedure, relating to the appointment of jury commissioner.

Referred to Committee on Judiciary.

Senate Bill No. 112: By Senator DeLap—An act to amend Section 204a of the Code of Civil Procedure, relating to the appointment of jury commissioners.

Referred to Committee on Judiciary.

Senate Bill No. 113: By Senator DeLap—An act to add Section 4834.5 to the Revenue and Taxation Code, relating to correction of errors on the delinquent roll.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 114: By Senator DeLap—An act to amend Section 2.6 of the Planning Act, relating to compensation of members of the commission.

Referred to Committee on Local Government.

Senate Bill No. 115: By Senator DeLap—An act to amend Section 259 of, and to add Sections 259.1 and 259.2 to, the Probate Code, relating to inheritance rights of aliens.

Referred to Committee on Judiciary.

Senate Bill No. 116: By Senator DeLap—An act to amend Section 2152 of the Revenue and Taxation Code, relating to determination of the property tax.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 117: By Senator DeLap—An act to amend Section 4105 of the Political Code and Section 29821 of the Government Code, relating to registered warrants.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 118: By Senator DeLap—An act to amend Section 4041.2 of the Political Code, and Section 25252 of the Government Code, relating to county funds.

Referred to Committee on Local Government.

Senate Bill No. 119: By Senator DeLap—An act to amend Section 674 of the Code of Civil Procedure, relating to the extinction of liens by staying enforcement of judgments or decrees on appeal.

Referred to Committee on Judiciary.

Senate Bill No. 120: By Senator DeLap—An act to amend Section 2957 of the Civil Code, relating to mortgages.

Referred to Committee on Judiciary.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1947

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 30

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 14, 1947

Mr. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 13

And reports the same correctly engrossed.

POWERS, Chairman

MOTION TO AMEND STANDING RULES

Senator Powers moved the adoption of the following amendments to the Standing Rules of the Senate, pursuant to the notice of motion to amend, given on January 13, 1947, on page 268 of the Senate Journal:

Amendments to Standing Rules

Resolved by the Senate of the State of California, That Rule No. 12 of the Standing Rules of the Senate be amended to read:

Standing Committees

12. The standing committees of the Senate, the number of members, and subjects to be referred to each are as follows:

1. Agriculture, 11 members. All bills amending the Agricultural Code and uncodified legislation relating to the same subject.

2. Business and Professions, 9 members. All bills amending the Business and Professions Code and uncodified legislation relating to the same subjects.

3. Education, 9 members. All bills amending the Education Code or relating to the University of California and any uncodified legislation relating to either.

4. Elections, 9 members. All bills amending the Elections Code or uncodified legislation relating to the same subject and constitutional amendments, after consideration by committees having jurisdiction of the appropriate subjects, for consideration of any question relating to submission to the voters.

5. Finance, 11 members. All appropriation bills including the Budget Bill and claim bills but excepting appropriations from the funds of the Senate made by resolution.

6. Financial Institutions, 9 members. All bills amending the Insurance Code and bills amending the Bank Act, Building and Loan Act, Corporate Securities Act and acts relating to the loan of money and credit unions, and any other legislation relating to these subjects.

7. Fish and Game, 11 members. All bills amending the Fish and Game Code, and uncodified legislation relating to the same subject.

8. Governmental Efficiency, 11 members. All legislation not specifically referred to another committee relating to:

- a. State policy
- b. New state functions
- c. State property
- d. Reorganization
- e. State employees

9. Institutions, 9 members. All bills relating to the State Department of Institutions, or to institutions under its jurisdiction including:

- a. State hospitals
- b. Home for the Feeble-minded
- c. Inebriate colonies
- d. Institutions for delinquents
- e. Home for the Blind
- f. Industrial workshops
- g. Any other institutions of a similar nature; and

All bills relating to the Youth Authority and to institutions under its jurisdiction.

10. Judiciary, 12 members. All bills amending the following codes :
 - a. Civil Code
 - b. Code of Civil Procedure
 - c. Probate Code
 - d. Penal Code, and
 - e. All statutes of a penal nature not related closely to a subject embraced in some other code.
 11. Labor, 7 members. All bills amending the Labor Code and uncoded legislation relating to the same subject.
 12. Local Government, 9 members. All bills relating to :
 - a. County government
 - b. Municipal corporations
 - c. Special assessment and other local districts when not regulated by the provisions of some other code and uncoded legislation on the above subjects.
 13. Military and Veterans Affairs, 9 members. All bills amending the Military and Veterans Code and uncoded legislation relating to the same subjects.
 14. Natural Resources, 9 members. All bills amending the Public Resources Code and uncoded legislation relating to mines and mining, oil, forestry, parks, and to the public domain.
 15. Public Health and Safety, 9 members. All bills amending the Health and Safety Code and uncoded legislation relating to the same subjects.
 16. Public Utilities, 7 members. All legislation relating to public utilities and their regulation and not embraced within any other code.
 17. Revenue and Taxation, 11 members. All bills amending the Revenue and Taxation Code and other uncoded legislation relating to state and county taxes.
 18. Rules, 5 members. All proposed amendments to the Rules, and all resolutions relating to the business of the Senate which are not acted upon without reference to committee.
 19. Social Welfare, 9 members. All bills relating to the Department of Social Welfare, or to aid to the aged, to the blind, to children, to the unemployed, to the indigent and to other public assistance.
 20. Transportation, 13 members. All bills amending the
 - a. Vehicle Code
 - b. Streets and Highways Code
 - c. Harbors and Navigation Code, and
 - d. Uncoded legislation relating to the same subjects or to aviation.
 21. Water Resources, 9 members. All bills amending the Water Code and uncoded legislation relating to the same subject.
- The standing committees of any regular session shall be the standing committees of succeeding special or extraordinary sessions unless otherwise ordered by the Senate.

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Senators Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 14, 1947

MR. PRESIDENT: The Committee on Rules has appointed the following Senators as chairman, vice chairman, and members of the various standing committees of the Senate:

POWERS, Chairman

Agriculture (11 Members)—

Crittenden (Chairman)
 Hatfield (Vice Chairman)
 Cunningham
 Desmond
 Donnelly
 Gordon

Hulse
 Jespersen
 McCormack
 Sutton
 Weybret

Business and Professions (9 Members)—

Breed (Chairman)	Judah
Burns (Vice Chairman)	Kraft
DeLap	McCormack
Desmond	O'Gara
Dilworth	

Education (9 Members)—

Slater (Chairman)	Donnelly
Salsman (Vice Chairman)	Jespersen
Desmond	O'Gara
Deuel	Kraft
Dilworth	

Elections (9 Members)—

Carter (Chairman)	Dorsey
Donnelly (Vice Chairman)	Kraft
Burns	Rich
Busch	Swing
Brown	

Finance (11 Members)—

Rich (Chairman)	Hatfield
DeLap (Vice Chairman)	Hulse
Breed	Jespersen
Carter	Quinn
Collier	Swing
Crittenden	

Financial Institutions (9 Members)—

McBride (Chairman)	O'Gara
Sutton (Vice Chairman)	Parkman
Cunningham	Salsman
Deuel	Weybret
Kraft	

Fish and Game (11 Members)—

Gordon (Chairman)	Mayo
Watson (Vice Chairman)	Powers
Brown	Slater
Carter	Swing
Judah	Weybret
Keating	

Governmental Efficiency (11 Members)—

Swing (Chairman)	Mayo
Powers (Vice Chairman)	McBride
Burns	Parkman
Collier	Rich
Hatfield	Tenney
Keating	

Institutions (9 Members)—

Mayo (Chairman)	Slater
Deuel (Vice Chairman)	Sutton
Crittenden	Williams
Dorsey	McBride
Gordon	

Judiciary (12 Members)—

Keating (Chairman)	O'Gara
Desmond (Vice Chairman)	Quinn
Busch	Rich
Carter	Salsman
DeLap	Tenney
Dorsey	Ward

Labor (7 Members)—

Judah (Chairman)	Hulse
Williams (Vice Chairman)	Tenney
Carter	Weybret
Dillinger	

Local Government (9 Members)—

Cunningham (Chairman)	Gordon
Busch (Vice Chairman)	Keating
Brown	Salsman
Desmond	Ward
Deuel	

Military and Veterans Affairs (9 Members)—

Ward (Chairman)	Sutton
O'Gara (Vice Chairman)	Slater
DeLap	Tenney
Dilworth	Williams
Quinn	

Natural Resources (9 Members)—

DeLap (Chairman)	McBride
Brown (Vice Chairman)	Parkman
Carter	Watson
Cunningham	Williams
Mayo	

Public Health and Safety (9 Members)—

Collier (Chairman)	Donnelly
Kraft (Vice Chairman)	Keating
Breed	McCormack
Burns	Watson
Busch	

Public Utilities (7 Members)—

Parkman (Chairman)	McBride
Dorsey (Vice Chairman)	Powers
Burns	Watson
Gordon	

Revenue and Taxation (11 Members)—

Quinn (Chairman)	Dillinger
Tenney (Vice Chairman)	Hulse
Breed	McCormack
Collier	Parkman
Crittenden	Ward
DeLap	

Rules (5 Members)—

Powers (Chairman)	Deuel
Hatfield (Vice Chairman)	Salsman
Brown	

Social Welfare (9 Members)—

Dillinger (Chairman)	Dorsey
Weybret (Vice Chairman)	Judah
Brown	Ward
Busch	Watson
Dilworth	

Transportation (13 Members)—

McCormack (Chairman)	Judah
Dilworth (Vice Chairman)	Mayo
Breed	Powers
Collier	Quinn
Dillinger	Slater
Hatfield	Swing
Jespersen	

Water Resources (9 Members)—

Jespersen (Chairman)	Donnelly
Hulse (Vice Chairman)	Rich
Crittenden	Sutton
Cunningham	Williams
Dillinger	

SENATE CHAMBER, SACRAMENTO, January 14, 1947

MR. PRESIDENT: The Committee on Rules has established the following committee meeting schedules and assignment of committee rooms.

POWERS, Chairman

Weekly Committee Schedule

<i>Monday</i>		
<i>Time</i>	<i>Committee</i>	<i>Room No.</i>
11 a.m.	Water Resources	415
On Adjournment	Natural Resources	415
8 p.m.	Judiciary	414
8 a.m.	Transportation	406
<i>Tuesday</i>		
9 a.m.	Public Health & Safety	415
11 a.m.	Governmental Efficiency	414
On Adjournment	Fish and Game	414
On Adjournment	Revenue and Taxation	406
8 p.m.	Agriculture	406
<i>Wednesday</i>		
9 a.m.	Social Welfare	406
9 a.m.	Finance	414
11 a.m.	Financial Institutions	415
On Adjournment	Military and Veterans Affairs	406
8 p.m.	Judiciary	414
<i>Thursday</i>		
9 a.m.	Labor	406
11 a.m.	Business and Professions	414
On Adjournment	Local Government	406
8 p.m.	Governmental Efficiency	414
8 p.m.	Education	406
<i>Friday</i>		
9 a.m.	Public Utilities	406
10 a.m.	Institutions	414
11 a.m.	Elections	415

On call of Chairman—Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS NO. 37, 38, AND 55

Senator Powers moved that Senate Bills No. 37, 38 and 55 be withdrawn from Committee on Rules, and referred to Committee on Social Welfare.

Motion carried.

RESOLUTIONS

The following resolution was offered:

By Senator Judah:

Senate Resolution No. 26

Relative to the continuance of the Senate Committee on Shoreline Development and Beach Erosion created by Senate Resolution No. 136 of the Fifty-sixth Regular Session.

Resolved by the Senate of the State of California, As follows:

1. The Senate Committee on Shoreline Development and Beach Erosion created by Senate Resolution No. 136 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the fifteenth legislative day of the next regular general session.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

CONSIDERATION OF DAILY FILE THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 13—Relative to the creation of a Committee to Investigate and Report Upon the Housing Problem in California with particular reference to veterans housing.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules:

Senate Resolution No. 27

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate in the sum of three hundred dollars (\$300) for postage for the Senate, and the Treasurer is directed to pay the same.

SALSMAN
DEUEL

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Swing, Tenney, Ward, Watson, and Williams—31.

NOES—None.

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator O'Gara, ordered printed in the Journal:

BOARD OF STATE HARBORE COMMISSIONERS
PORT OF SAN FRANCISCO, January 13, 1947

*Mr. Joseph A. Beck, Secretary of the Senate
State Capitol, Sacramento, California*

Re: Report on Assembly Concurrent Resolution No. 22
World Trade Center at San Francisco

DEAR SIR: We hand you herewith duplicate original and 40 copies of our report to the Legislature, pursuant to Assembly Concurrent Resolution No. 22.

Additional copies are available if desired by Members of the Senate.

Duplicate original and sufficient copies for each Member of the Assembly are being filed today with Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly.

Very truly yours,

BOARD OF STATE HARBOR COMMISSIONERS

By THOMAS COAKLEY, President

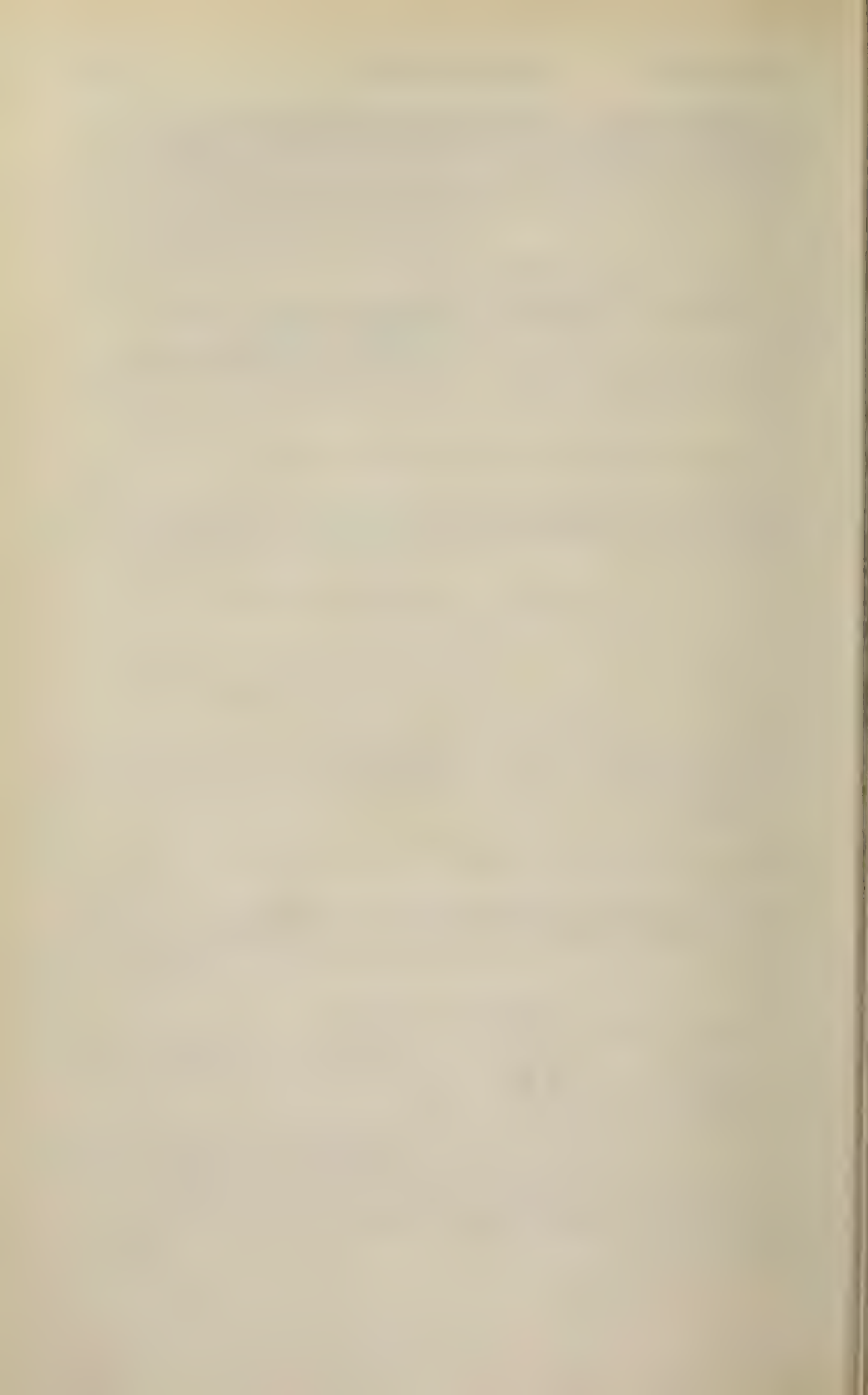
By W. G. WELT, Commissioner

By N. LOYALL McLAREN, Commissioner

ADJOURNMENT

At 12 m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., Wednesday, January 15, 1947.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

EIGHTH LEGISLATIVE DAY

TENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, January 15, 1947

The Senate met at 10.30 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—35.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Brown, on motion of Senator Powers.

Senator Mayo, on motion of Senator Powers.

Senator McBride, on motion of Senator Powers.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Richard Chamberlain, Commander of the American Legion.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. R. Malatesta, Mr. James Pierce, Mr. Harold W. Wright, Mrs. Marguerite Moore, Mrs. Josephine Rivers and Miss W. La Viera Rivers, all of Los Angeles.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Don Keller, District Attorney of San Diego County; Mr. Merile Stevenson, County Engineer of San Diego County; Mr. Duane J. Carnes, Deputy District Attorney; Mr. Dan Rossi, Supervisor of San Diego County; and Mr. Dave Bird, Supervisor of San Diego.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Grace Wooden, Bershie Rouse, and Jose C. Miranda, all teachers at Edison High School, Stockton; and Mrs. A. R. Reelhorn, teacher at Stockton High School in Stockton; Mr. David L. Greene, Mr. Gerald Keithley, Domingo B. Tabangcura, Andres Beserra, Marcos P. Mugpayo, Mateo Tablet, Abdon Rileapiro, Felicisimo Rileapiro, Sergio Orlanda, Melecio Sugmtan, Pete Algas, Benny Andaza, Narciso Calpito, Lew Raganit, Juan Rillan, Cipriano Delvo, Paul A. Puruggnan, Rufino S. Abarientoe, Rufino R. Rabban, Clara Thomas, Mario G. Xaviee, Mrs. R. Ghnain, Chifiko Risewain, Shabado Sallak, Elizabeth Andreacatti, Guadalupe Escatto, Mary Banchers, Bob Supnet, Eddie Rabora, Paul Andaya, Farileir Calang, and Mariala Visawiclo.

RECESS

At 10.34 a.m., on motion of Senator Hatfield, the Senate recessed to hear the remarks of Richard H. Chamberlain, Commander of the American Legion.

REASSEMBLED

At 10.36 a.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

PRINTING LETTER OF TRANSMITTAL

The following letter of transmittal which was submitted with the Report of the Department of Education Regarding the Study of Problems of, and Service for the Blind, was ordered printed in the Journal, and the report filed with the Secretary of the Senate:

Letter of Transmittal

DEPARTMENT OF EDUCATION

December 1, 1946

To the Senate and Assembly of the State of California

GENTLEMEN: By the provisions of Chapter 117, Statutes of 1945, the Department of Education was directed to investigate the problems of the blind residents of this State, and the Departments of Social Welfare, Institutions, Public Health and any other department of this State having functions pertaining to the welfare of the blind were to cooperate in making the investigation.

We, the Directors of the State Departments of Education, Mental Hygiene (formerly Institutions), Public Health and Social Welfare, respectfully submit the Report of the Inter-Department Committee on Study of Problems Of and Services For the Blind.

We trust that this report will be of assistance to the Legislature in its deliberations as to the welfare of the blind citizens of California.

Respectfully,

ROY E. SIMPSON

Director, Department of Education

DORA SHAW HEFFNER

Director, Department Mental Hygiene

WILTON L. HALVERSON

Director, Department Public Health

C. W. WOLLENBURG

Director, Department Social Welfare

MOTION TO PRINT REPORT

Senator Salsman moved that the Preliminary Report of the Senate Interim Committee on Prepayment of Medical and Hospital Care be printed in the Journal in 10 point type.

Motion carried.

**Preliminary Report of the Senate Committee on Prepayment
of Medical and Hospital Care**

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, SENATE

January 14, 1947

*Hon. J. A. Beek, Secretary, California State Senate
State Capitol, Sacramento, California*

DEAR SIR: The Senate Interim Committee on Prepayment of Medical and Hospital Care, created pursuant to Senate Resolutions 131 and 165, Fifty-sixth Session of the Legislature, transmits herewith to the Senate its preliminary report.

The members of the committee appointed pursuant to the resolution were Senators Arthur H. Breed, Louis Sutton, John F. Shelley, Chris Jespersen, and Byrl R. Salsman.

The committee was set up to study the problem of prepaid medical and hospital care for the people of California, and was created as a direct result of the widespread public and legislative interest taken in this subject during the Fifty-sixth Session of the Legislature. Numerous public meetings and hearings have been held throughout the State during the Fifty-sixth Session of the Legislature, and particularly during its February recess. Accordingly, the committee determined that little would be gained by further public hearings, but that it would be most helpful in a consideration of this controversial subject if a staff was employed to do the necessary research work and to carry on an investigation of the problem under the direction of the committee and according to the policies established by the committee. The committee, therefore, employed a research staff under the direction of Gordon Claycombe, of Oakland, and this staff has been at work on the problem for the past 18 months.

The committee fortunately secured the services also of Dr. Russel V. A. Lee, a member of the faculty of the Stanford University Medical School and head of the Palo Alto Clinic. Dr. Lee gave his services freely to the committee without charge and rendered excellent service as a medical consultant and advisor to the committee. He attended all meetings of the committee, conferred from time to time with members of the staff, and was in frequent consultation with the chairman of the committee. He did not, however, participate in the executive sessions of the committee, and had no part in a determination of the final recommendations submitted herewith.

The committee is especially grateful to the many individuals, state departments, and organizations cooperating with the staff and with the committee members. Their cooperation has indeed been most helpful, and an attempt has been made to acknowledge their contributions in an appropriate place in this report.

It is the committee's intention to continue the investigation during the present session of the Legislature, and the results of its future labors will be incorporated in any final report the committee may file.

Respectfully submitted.

BYRL R. SALSMAN, Chairman

SENATE INTERIM COMMITTEE ON PREPAYMENT OF MEDICAL AND HOSPITAL CARE

(Created by Senate Resolutions 131 and 165, Statutes of 1945)

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ACKNOWLEDGMENTS

Grateful acknowledgment is made to the many organizations and individuals who so generously contributed to the work of the committee and the research staff. While space limitations will not permit the listing of the names of all who have assisted, our appreciation is gratefully given for their cooperation.

The unstinting help given the committee and research director by Dr. Russel V. A. Lee, member of the Stanford University Medical School Faculty, and Medical Consultant to the Senate Interim Committee, was of inestimable value. Dr. Lee, serving without compensation and at his own expense, devoted hundreds of hours of work during the past year to conferences with the Committee Chairman and Research Director, to committee meetings and to reviewing, in detail, the material collected by the staff and to making certain independent studies and inquiries of his own in regard to the general medical care problem in California.

The committee is specially indebted to those individuals and organizations whose unselfish assistance in making special surveys and compilations, allowing analyses of their data to be made, furnishing invaluable information, reviewing manuscript material and making significant suggestions, made possible the extensive compilation of data set forth in the four volumes of "Study Materials" worked up by the staff for the committee's use and reference. Among these are:

California Cancer Association, Lyell C. Kinney, M.D., Chairman, Executive Committee; California Department of Education, Division of Research and Statistics, H. W. Magnuson, Chief of Division; California Department of Finance, James S. Dean, Director, Pierce H. Fazel, Chief Administrative Analyst; California Department of Public Health, Dr. Wilton L. Halverson, Director, Dr. Jessie M. Bierman, Chief, Bureau of Maternal and Child Health, Dr. Ellis D. Sox, Chief, Division of Local Health Services, Dr. Robert Dyar, Chief, Division of Preventive Medical Services, Miss Elizabeth Martinelli, Chief Deputy Registrar, Division of Vital Statistics; California Farm Bureau Federation, Department of Research, Von T. Ellsworth, Director, Mrs. K. Brecheen, Statistician; California Heart Association, Marjorie Edwards Brush; California Department of Industrial Relations, M. I. Gershenson, Chief of Division of Labor Statistics and Research; California Office of the Insurance Commissioner, S. Gundelfinger, Supervisor of Insurance Examinations and Financial Analysis; California State Chamber of Commerce, Herbert F. Ormsby, Director, Research Department, Paul N. Williams, Economic Analyst, Research Department; California State Reconstruction and Reemployment Commission, Van Beuren Stanbery, Chief of Technical Staff, John B. Marshall, Field Assistant; California Taxpayers' Association, Alden C. Fensel, Director of Research; Community Chest of San Francisco, Peter Cohen, M.D., Vice-chairman, Health Council; Oakland Community Chest, Health Division, Bertha B. Howell, Assistant Director, Council of Social Agencies; Pasadena Council of Social Agencies, Inc., Barbara M. Nichols; Sacramento Community Chest, R. Allen Haney, Executive Secretary; Community Welfare Council; State of California, Director of Selective Service, Dr. Bert S. Thomas, Colonel, M.C., State Medical Officer; University of California (Berkeley), Bureau of Public

Administration, Library of Economic Research and Public Administration, Samuel C. May, Director, Professor of Political Science; United States Department of Agriculture, Farmers Home Administration, San Francisco Regional Office, Dr. Fred J. Morse, Jr., Regional Medical Officer; Emily H. Huntington, Ph.D., Professor of Economics, University of California, Berkeley, Chairman, Heller Committee for Research in Social Economics; Welfare Council of Metropolitan Los Angeles, Max Silverstein, Director, Health Division.

Agricultural Workers Health & Medical Association, S. Kerby-Miller; Aircraft Workers Medical Plan, C. M. Hinchey; Associated Hospital Service of New York, Allen B. Thompson; California & Hawaiian Employees Mutual Benefit Association, L. M. Van Deusen; California Physicians' Service, A. E. Larson, M.D.; F. W. Callison, M.D., and Staff, F. W. Callison; Frank M. Close, M.D., and Staff, J. E. Perry; Columbia Employees Hospitalization Plan, J. H. Hanks; Complete Service Bureau, Dave Farmer; Franklin Hospital, Frank Schmidt; French Hospital, Chas. J. Malinowski; Health Service System of San Francisco, A. S. Keenan, M.D.; Hospital Service of California (Blue Cross), J. Philo Nelson; Intercoast Hospitalization Insurance Association (Blue Cross), P. A. Stitt; Metropolitan Water District of Southern California, J. M. Luney; Pacific Electric Railway Company, George Perry; Permanente Foundation Hospital, Clyde F. Diddle; Ross-Loos Medical Group, M. W. Shearer; Santa Fe Coast Lines Hospital Association, W. A. Morrison; Southern Permanente Hospital, B. M. Kelly; Union Oil Company of California, H. G. Johnson; Valley Health Foundation, Syd Green, President; Western Pacific Railroad Company, A. R. Kilgore.

INTRODUCTION AND HISTORY

This committee and the Assembly Health Care Investigating Interim Committee were established as a direct result of the widespread public and legislative interest taken in the subject of state-operated, prepayment medical care plans during the Fifty-sixth Session of the Legislature.

The Senate Interim Committee on Prepayment of Medical and Hospital Care, created by Senate Resolutions 131 and 165, in order to inform itself adequately regarding the major issues of the problem and to have available valid factual information for the committee's study and deliberations, employed a research staff to compile, analyze and digest available factual data relative to the general problem of medical care for the people of California.

The staff did assemble, analyze and brief these data and, in addition, made original studies of the problem, in cooperation with private and state agencies, within the limitations of the committee's budget and the length of time allowed for the study.

The results of these studies have been compiled in four volumes of "study materials" which were furnished to each member of the committee. Indicative of the detailed survey made, a bibliography covering the contents of the "study materials" would contain over three thousand titles of publications and documents referred to during the course of this work. While the "study materials" are too voluminous for publication, at this time, some of the data contained therein are outlined in the preliminary report. The recommendations are, in general, based upon the data

contained in the "study materials." The four volumes referred to above have been filed with the Secretary of the Senate.

At the invitation of the committee, Russel V. A. Lee, M.D., consented to serve as medical consultant to the committee. During the past year, in spite of a heavy schedule of work, Dr. Lee made himself available for conferences with the committee chairman, the research director, and for all committee meetings. He reviewed the study materials as they were completed and accompanied the research director to New York and Washington, D. C., where conferences were held with representatives of the various federal agencies concerned with the problem and with certain of the larger private, prepaid medical and hospital plan organizations. While Dr. Lee attended all committee meetings, he did not participate in the committee's deliberations in drawing up the recommendations set forth in this report.

The committee recognizes that the problem of adequate medical care for the people of this State is complex and that a staff and budget many times larger than that available to this committee could be devoted to a study of the problem. However, within the limitations of the time and funds available, the major issues, as outlined in this preliminary report and detailed in the "Study Materials," have been covered and have been materially substantiated by other state and national surveys.

The committee did not hold extensive public hearings, but relied upon the research staff to submit detailed data for the committee's study and deliberations. The committee met in Sacramento and San Francisco on a number of occasions to review the materials submitted and to guide the staff in matters of policy. During the course of the study, the Research Director held frequent conferences with the committee chairman and with the medical consultant.

In submitting this preliminary report, the committee does not hold that it is in any way definitive. The data developed during the study will, however, prove to be of value in a further consideration of this difficult problem.

SECTION I

CALIFORNIA SOCIAL AND ECONOMIC BACKGROUNDS

In considering the general medical care problems of a State, or Nation, it is necessary to develop certain basic social and economic data regarding the area under study, in order to intelligently determine:

- (a) The character, extent, location and severity of preventable and ameliorable illness;
- (b) The adequacy of existing medical care facilities;
- (c) The ability of the people as a whole and of special groups and communities to finance adequate medical care.

This basic data must be the foundation of any study endeavoring to determine, on a factual and practical basis, the existence and extent of unmet medical needs in a given community, and considering proposals for improving conditions and meeting the needs. These data are pertinent to this study because the physical well-being of a people

depends upon a combination of such complex factors as heredity, education, occupation, income, housing, diet and family status, plus the caliber and extent of public health and sanitary measures and the availability of adequate and timely medical care. And such information is basic to any proposal to improve conditions and meet the need through a prepaid medical plan, whether private or governmental, voluntary or compulsory.

In evaluating the medical care problem in California, it is necessary to keep in mind that:

California, at the present time, has an estimated population of 9,250,000¹ people, made up of approximately 2,750,000² families. The State's population is growing and it has been estimated that, by 1950, the population of this State will be from 9,600,000 to 10,270,000 people.³

California population has a larger proportion of adults and old people (of actuarial importance to a study of this type in determining the incidence of illness among the population) of smaller size families and of more wage earners per family than is the case in most states.

Various areas of the State that are independent government taxation and service units are too thinly populated to assure the numbers required for the efficient and economical provision of various types of public services—including public health and medical care services—or a sufficient tax basis for financing such needed services. For example, the population of counties within the State varies from 250 to 3,584,000 people. Of the 58 counties in this State, 11 have a population of 10,000 or less. This fact is pertinent to this study because it is questionable whether counties with such a low population have the necessary economic basis to:

- (a) Support and maintain adequate county and/or general hospital facilities;
- (b) Support and maintain a full-time public health department;
- (c) Support and maintain adequate and necessary laboratory, X-ray and the auxiliary medical services required by present day medical science;
- (d) Attract adequate medical personnel, physicians and surgeons, dentists, nurses and auxiliary personnel to these areas and assure them adequate financial remuneration for their work.

California has approximately 4,000,000 people in its labor force—of whom, about 400,000 are in agriculture (seasonal and otherwise). Of these, 3,760,000 were in civilian employment in September, 1946,⁴ representing a level not far from the wartime high and it is estimated that more than 1,000,000 women are employed today—a higher level in number and proportion than obtained before the war. It is estimated that unless a prolonged and severe curtailment of industrial production should occur, employment in California can be expected to remain above 3,200,000 and unemployment would probably not rise above 650,000.⁵ The preponderance of evidence is against a serious “reces-

¹ California Taxpayers' Association.

² U. S. Census, 1940, and Special Reports.

³ California State Reconstruction and Reemployment Commission.

⁴ M. I. Gershenson, Chief of Division of Labor Statistics and Research, State Department of Industrial Relations.

⁵ Van Buren Stanbery, Chief of Technical Staff, California State Reconstruction and Reemployment Commission.

sion" or "collapse" occurring during the next two years. These data are pertinent to our study because all authorities are agreed that in considering proposals for a nation-wide, or state-wide, prepaid medical and hospital insurance plan that relatively "full employment" and an average high wage level (see below) is a prerequisite to the installation of any universal medical care insurance system.

While the total and per capita wealth and income of the people of California is larger than that of most states of the Union, we find that approximately 50 percent of our California families earn less than \$3,000 yearly and 15 percent earn less than \$1,500 each year.⁶

The income of California civilian residents in 1946 is estimated at 13.0 to 13.5 billion dollars⁷—an average of approximately \$1,480 per capita—as compared with an estimated United States average of \$1,200 per capita. It is also estimated that, barring a prolonged and severe curtailment of industrial production, annual income payments to civilian Californians will not drop below \$11,000,000,000 and might possibly reach \$14,000,000,000 or more within the next two years.⁸

The State, as a whole, and its people, on the average, are among the most favorably situated in the country because the State's geography, resources and industries constitute a substantial basis for securing a fair "American standard of living" for all the people of the State—including adequate medical care, whether through individual or cooperative enterprise, whether through commercial, philanthropic or governmental procedures. However, various groups of people, various classes of workers, various individuals and families, and various areas or communities of the State are so far below the average income, wealth and general welfare as to constitute a continuing subject for ameliorative activities by government.

The current remains of wartime savings, and the prospects for further savings within the next few years, on the part of a large number of the people of the State (as of the country as a whole) are so small as not to constitute a cushion of security against the economic shock of unanticipated serious illness and its possible "catastrophic" costs and consequences. Neither do the savings in most cases represent an amount large enough to assure them the ability to pay for adequate general medical care if they do become ill. Hence, private or public medical "relief," borrowings and reductions in other costs of living, will, of necessity, continue to be—as they have in the past—the primary resources of people of low and moderate income for meeting unexpectedly large medical expenditures. Based on national estimates, the findings of authoritative studies, 30 percent of California families have no savings at all. The average amount held as "savings," or "liquid assets" by the 70 percent who do have savings, is only \$50. Ten percent hold 60 percent of all the savings, with an average of \$3,400 per "spending unit" in that group. Further, in 1945, it was estimated that 17 percent of all the "spending units" in the State, or Nation, not only failed to save anything, but had to withdraw from their savings to meet current expenditures.⁹

⁶ Paul N. Williams, Research Department, California State Chamber of Commerce.

⁷ Van Buren Stanbery, Chief of Technical Staff, California State Reconstruction and Reemployment Commission.

⁸ Van Buren Stanbery, Chief of Technical Staff, California State Reconstruction and Reemployment Commission.

⁹ National survey made at request of Board of Governors of the Federal Reserve System by the U. S. Bureau of Agricultural Economics, 1946.

Innumerable surveys, both national and local, have shown that conditions in this State do not differ materially from conditions found throughout the Nation and in other "advanced" states—for example, New York—and hence, the findings of national and state surveys are pertinent to this study and are indirectly indicative of conditions existing in California. For this reason, national surveys and studies of other favorably situated states are given in this report.

SECTION II

HEALTH, SICKNESS, DISABILITY, MORTALITY

The committee finds that:

Illness is unpredictable as to its occurrence, its duration, its severity, and its consequences. This is true in the case of individuals and individual families, whether poor, moderately well off or well to do. However, illness is subject to the law of averages and it can be studied statistically, computed and forecast for groups, communities and areas.

Current illness and mortality from diseases other than those of old age are increasingly preventable, curable or ameliorable through effective public health measures and through proper and timely medical care.

Tremendous advances have been made in medical science and in public health and medical care techniques during the past years. These advances, however, have not been utilized to the fullest possible extent, nor have they been made available equally to all groups of the population or to all areas of the State—particularly rural and semi-rural areas.

If a method could be found to more equitably distribute medical care to all the people and to fully apply existing medical knowledge and advanced public health techniques to the general problem of medical care, there would be among the people of this State:

- (a) A lower mortality and morbidity rate;
- (b) Fewer severe illnesses;
- (c) Fewer early deaths due to preventable or ameliorable illness;
- (d) Less absenteeism from work and school;
- (e) A lower rate of rejections for military service among our young men;
- (f) Generally better health for children and adults;
- (g) And, ultimately, the large losses to the State's economic well being would be considerably lessened.

All authoritative studies reviewed by the committee have shown that this drain on human health and life is not equally distributed among the people and the communities and areas of the State. The low and moderate income groups have more severe, more lasting and—in proportion to their means—more costly illnesses than the nominally higher income groups. Within the low and moderate income groups there is:

- (a) More illness and disability among industrial than among other workers;
- (b) More in rural than in urban areas;
- (c) More among large than among small families;
- (d) More among the unemployed than the employed;
- (e) More in times of depression than in times of prosperity.

A list of all the tabulations used as a basis for the general findings reported by the committee above are given in full in Ch. II of the Study Materials. For the convenience of those wishing to research the original documents, the statistical tabulations are given by the name of the survey organization, i.e., "Committee on the Costs of Medical Care," "National Health Survey," etc., making the study. The number of each table is shown as well as the volume number of the publication and the page where each table can be found.

SECTION III

THE RECEIPT OF MEDICAL CARE

The answers to this question are basic to this study because the character and volume of medical service received per illness and the ratio of the disabling illnesses receiving medical care to those not receiving care constitutes the fundamental measure of the receipt of, or lack of, adequate medical care.

One comprehensive and reliable way to get the answers to this question would be through a contemporary, state-wide, sample survey of representative elements of the State's population in the various types of communities and areas. As such a survey was beyond the committee's budget and the time allowed for the study, it was necessary to rely on past medical care surveys in California and recent ones in other parts of the Country for such light as they could throw upon the problem in California. All available indications are that—if due allowance is made on the one side for the increased money income level of the population and, on the other side, for (a) the much smaller proportionate increase in medical facilities, personnel, etc.—especially in rural areas; (b) the much greater increase in the costs of medical care and in the general cost of living—the present day situation in California as to the receipt and distribution of medical care is comparable to that found in California surveys in 1929, 1933, and 1935, and not much different from that found in the Nation as a whole, by the Committee on the Costs of Medical Care in 1928-1931 and by the National Health Survey in 1935-1936.

A review and analysis of past surveys in California and the Nation, and recent studies made in other parts of the country, has indicated to this committee certain strong and weak points in present day facilities, organization, location, and financing of medical care.

The committee finds that:

Physicians' and hospital services are the major forms of medical care sought and obtained in California.

The extent of medical care of all types received by families and individuals generally varies with income and with area, population, density—i.e., the greater the income, the greater the medical care received; the smaller the population area, the smaller the volume of medical care received.

Medical care is obtained in least proportion to illnesses by the people who have the most illness—the indigent class and low income group.

Medical care is obtained to a much less extent—in proportion to illness—in rural areas than in the cities.

Reviewing the most widely recognized generalizations to come out of these studies, augmenting and substantiating the material enumerated above, the committee finds that:

- (a) All income groups rely primarily on the doctor for the treatment of illness. Physicians' services are sought and secured more frequently than any other type of medical care.
 1. The National Health Survey found that 81 percent of the cases of illness receiving medical care were attended by a physician. Fifty-three percent at home; 23 percent at the doctor's office; 5 percent at a public clinic. Only 4 percent of the cases of illness utilized a private nurse, and only 27 percent received hospital care.
 2. The Committee on the Costs of Medical Care found that: 79 percent of the illnesses were attended in the home, office, hospital or clinic by some type of practitioner; 15 percent to 37.5 per cent of the families surveyed received some hospital care in the course of the year; 4 percent of the poor received private nursing care while 33.3 percent of the well-to-do received such care.
- (b) The amount of medical care received depends, in large part, upon the amount of money that an individual or family has available to spend for medical care. As family income increases, there is an increase in the proportion of illness that receives medical attention. This is true notwithstanding the fact that low income families have more than average frequency, duration and severity of illness—illness which it is reasonable to assume should receive relatively more medical care—they receive actually less medical care than those in the higher income groups.
 1. The Committee on the Costs of Medical Care found that in 1928-31, families with incomes of \$10,000 or more received more than twice as many physicians' calls as those with incomes under \$3,000, and more than a third more than those with incomes between \$5,000 and \$10,000. Similar data were brought out by the National Health Survey and the California studies.

The Committee on the Costs of Medical Care, in its intensive survey of the problem, found that:

1. From 2.5 percent to 14 percent of the families surveyed, depending on their income and on the size of their community, received no medical care during the 12 months they were studied. Among poor families in large cities, small towns and rural areas, the percentage of families receiving no medical attendance whatever was from three to five times as high for the poor as for the rich.
2. Ten percent of the families surveyed reported illness, but not medical care.

3. The volume of medical care received varied with income even more than the proportion of families receiving medical care. For example, as income increased from the lowest to the highest income families;

	Percent
Physicians' calls increased by-----	145
Hospitalization increased by-----	87
Health examinations increased by-----	333
Dental services increased by-----	651
Refractions and/or eye glasses by-----	552

4. No doctors' services of any sort in the course of the year were received by 20 percent of the families with incomes under \$1,200, while only 7 percent of the families with incomes over \$10,000 received no care.

When surgery is needed, the need is generally so urgent that economic considerations usually play a very small part in the determination of whether or not it is to be obtained.

The Committee on the Costs of Medical Care study of the receipt of surgical services, received by the families surveyed, varied according to income—19 percent for family incomes under \$2,000 yearly and 32 percent for families having incomes of \$10,000 or over.

Further, the committee found, in regard to the receipt of private nursing care, that only 4 percent of the poor received such care while 33.3 percent of the well-to-do received such care.

The National Health Survey, studying disabling illnesses that lasted seven days or longer, found that:

1. The number of disabling illnesses lasting a week or longer which received any medical care was found to be 138 per 1,000 persons per year. The disabling illnesses that thus received any medical care at all were only 81 percent of all the seriously disabling illnesses found in the survey.
2. The difference between the percentages receiving medical care in the relief group and those having incomes of \$3,000 or over, for all diagnosed illnesses, was found to be 10 percent. For communicable diseases, it was 20 percent and for colds and influenza, 18 percent.
3. The average amount of care received per patient by a doctor was less in the lower economic groups than among the higher income groups. This was true both of "home" calls and of total doctor calls, and it was true in every city-size group.

The California Depression and Health Survey, like the other national surveys, found in this State, as in the Country as a whole, that in spite of the higher disabling illness rates of low income families, such families obtained medical care for a smaller proportion of their illnesses than did families in the higher income groups. For example:

1. Among "relief" families, 72 percent received some sort of medical attention for disabling illness while 89 percent in the \$3,000 and over income group received medical care. 59.1 percent in the

lower group and 84.1 percent in the higher group received physicians' care. Physicians' calls per disabling illness were 2.8 to 5.2 for the low and high income groups respectively.

The California Medical-Economic Survey revealed that :

1. 56 percent of those surveyed with incomes of \$3,000 and under, were receiving the medical care they needed on the day of the survey; 82 percent in the \$3,000 and over income group were receiving such care; in the \$10,000 and over income group, 90.4 percent were receiving care.
2. Receipt of dental care showed only 31 percent of those with dental needs receiving care; only 29.2 percent receiving such care in the \$3,000 and under group; 62.1 percent receiving it in the \$3,000 and over group; and 80.8 percent of those in the \$10,000 and over group receiving care.

The next most critical observation to come out of these studies is that, within each income group, the percentage of illnesses which do receive medical attention is far greater in urban than in rural areas and is generally considerably greater in large cities than in small towns and middle size communities. Indications on this point, revealed by the studies, are as follows :

1. The number of doctors' calls per 1,000 population was greater in large cities than in small towns and rural areas. (Committee on the Costs of Medical Care.)
2. More hospital care was received by families in large cities than by families living in small towns and rural areas. (Committee on the Costs of Medical Care.) This study also showed that the number of days of hospitalization per family was larger in the large cities than in smaller communities.
3. From 20 percent to 36 percent of the families surveyed in large cities received some major or minor surgery; 21 percent to 29 percent in the medium sized cities; and from 16 percent to 25 percent in the small towns and rural areas. (Committee on the Costs of Medical Care.)
4. Only 44 percent of the families in rural areas utilized dental facilities as compared with 54 percent in medium size cities and 61 percent in the large cities. (Committee on the Costs of Medical Care.)
5. Nursing care was received by low and high income groups in various size communities as follows: in large cities, from 6 percent to 36 percent; in medium size cities, 3 percent to 31 percent; and in small towns and rural areas, 4 percent to 13 percent. (Committee on the Costs of Medical Care.)
6. Free hospital and clinic facilities found in large cities are provided to a much smaller extent in small cities, towns and rural areas. (National Health Survey.)

7. People needing and receiving medical care, approximated 56 percent for the State as a whole; 64 percent in cities of 100,000 to 999,999; 60 percent for cities of 5,000 to 99,999; and 51.9 percent for towns under 5,000 population and rural areas.

SECTION IV

EXPENDITURES FOR MEDICAL CARE

In seeking the answers to these questions, the ideal research procedure would have been to make current studies of representative samples of the population, checked and supplemented by special studies of current prices, fees, volume and frequency of utilization of the various items of medical care. Since this was out of the question within the available time and financial resources of the committee, the next best procedure was to analyze the older studies in California and the more recent data for the Country as a whole and consider it in the light of present economic conditions in California.

After reviewing available data on medical care expenditures, the committee finds that:

Medical expenditures, like illnesses, are completely unpredictable for any individual or family, for any particular time or period of time.

Medical expenditures vary from nothing for some person and for some families to considerable amounts for others, and to catastrophic amounts for still others.

Medical care expenditures are not apportioned in accordance with medical care needs or with ability to pay.

In proportion to their financial resources, the poor spend most for medical care and receive less care in ratio to the extent of illness and medical need among them.

The unpredictable, uncertain and unequal burdens of medical care expense are not distributed among any great numbers of people in the way that other unpredictable hazards of modern life—old age, unemployment, fire losses, etc.—are shared and lightened through public or private insurance measures. This is true except in the field of hospital expense insurance, employee group insurance, and, to a limited extent, in the case of families having the benefits of a fairly complete prepaid or insured medical care plan.

The previously noted unpredictability in the occurrence, nature, duration and severity of illness for any one individual or family makes equally unpredictable the character, amount and cost of the medical services he is likely to require within any specified period of time. This makes budgeting for medical care under the present system of post facto, of pay-as-you-go fees, practically impossible for low and moderate income individuals and families.

Government, philanthropy, and industry bear only a small share of the Nation's medical bill; about 80 percent of the total medical care expenditures in the State and in the Nation is spent directly by consumers; their total annual medical care expenditures represent between

4 percent and 5 percent of the total annual consumer income—between 3.5 percent and 4.0 percent of total consumer expenditures.

The United States Senate Committee on Wartime Health and Education estimated that the average family expenditure on medical care in 1944 was \$100. But the problem is not one of average costs. Even in matter of averages, however, the burden is greatest on low income groups. In 1934, California families spent on an average from 3.5 percent to 4 percent of their total family budget for medical services. The low income groups (\$1,200 - \$2,500), however, spent from 4 percent to 5 percent of their family budget on medical care, while the upper income groups (\$10,000 plus) spent only 1 percent to 2 percent.

As to actual, rather than average expenditures, the costs of medical care are unevenly distributed. During the depression year, 1933, 25 percent of all families in California incurred no medical charges. But 12.5 percent of the families (one out of eight families) incurred \$100-\$200; 5.2 percent (one out of nineteen), \$200-\$300; 2.3 percent (one out of thirty), \$300-\$500; 2.2 percent (one out of forty-five), \$500-\$1,000; and 8 percent of the families (one out of every hundred twenty-five) incurred medical charges amounting to \$1,000 or more during the year.

Disabling illnesses take up an increasing share, and nondisabling illnesses a decreasing share of the total medical care expenditures as the income level rises. Three-fourths or more of the total costs for all illnesses among the higher-income groups are caused by disabling illnesses.

As family income increases, the average per capita medical care expenditures increase progressively until the very highest income group is reached, where there is apparently a slight drop back in the per capita expenditures. Within the same income groups, medical care expenditures per person are generally greater among two-person and three-person families than among those of five or more persons.

The age group 25-34 incurs relatively high charges for medical service, while relatively small charges are incurred (in private expenditures) for school and preschool children.

No consistent variations are found in the medical expenditures for boys and girls under 15 years of age, but, for the older groups, the expenditures are substantially higher for women than for men.

Among all groups, the major medical expenditures are for physicians and dentists' services, hospital care, and medicines. Together, these items constitute about 80 percent of the consumers' medical bills. Physicians (including surgeons and other specialists) account for from 30 percent to 40 percent of the total medical bill; dentists: from 14 percent to 21 percent; hospital: from 11 percent to 16 percent; medicines: from 10 percent to 16 percent.

Larger proportions of the total medical outlays of the lower income groups go for physicians' services and medicines than in the case of the higher-income groups. Hospitalized illness, at all income levels, constitutes about one-half of the total medical charges. Hospital care, private nursing and dental and eye care are bought, to a significantly larger extent, by the well-to-do. Charges for medicines, however, vary within a considerably smaller range than those for hospital care, physicians' services or dental care.

That (at least on the side of individual treatment) an inadequate proportion of family medical care expense goes for "preventive medicine" is indicated by the following table showing that most of the money spent directly by people for medical care goes for the treatment of illness and a very small proportion is spent for prevention, even when the care of the teeth and the eyes is included in the total of expenditures for preventive medical care.

**FAMILY EXPENDITURES FOR THE PREVENTION AND
CARE OF ILLNESS ***

	<i>Percent</i>
Preventive medicine-----	1.4
Eye care-----	2.7
Dental care-----	17.4
Care for illness-----	78.5

SOURCE: Committee on the Costs of Medical Care, Volume No. 28.

* "Medical Care For the American People," p. 40. Based upon the charges incurred by 8,639 families surveyed for 12 consecutive months by the Committee on the Costs of Medical Care.

Summarizing the data set forth thus far, and analyzing their relevance to the question of:

- (a) The need for, and desirability of, health insurance;
- (b) The need for larger public expenditures for public health services; we find that:

California, as a whole, is relatively well off as compared with other states, but large segments of its population and a considerable number of areas in the State are economically underprivileged. The data would seem to indicate that now is the most favorable time for expanding health security measures.

The extent and severity of illness and disability, and the rates of mortality, are greater among low and moderate income groups than among the well-to-do, possibly because of less ability to pay for needed medical care, and that much of this illness and disability is preventable or postponable under present day medical advances.

People of low and moderate income spend much less for needed medical care than the well-to-do, though that little is a heavier drain on their resources than the much that the well-to-do spend is on their resources.

The low and moderate income groups, despite the greater extent of their illness and disability, and despite their relatively greater expenditures, get much less medical service in proportion to their illnesses, disability and mortality than do those in the upper income groups.

From the above, it is clear that one of the major reasons for the lag between actual and possible achievements in promoting, safeguarding, and caring for the health of the people is the inability or unwillingness of individuals, families, groups, areas, and government units to pay the high costs of adequate medical care and health services under the present organization of the health services and the current methods of financing medical care.

Because of this inability or unwillingness to pay the costs of medical care as at present organized and financed, many people do not and cannot get the medical care they need and many do not get it in time to prevent incipient and mild illnesses from developing into serious or dangerous diseases.

An effective remedy for this situation, of course, would be for all families to set aside reserves to meet extraordinary and unanticipated medical expenditures and to budget their remaining income so as to allow for current expenditures for preventive medical services and for early medical care of incipient illnesses. But, in view of the present cost of living and with 50 percent of California's people earning under \$3,000 yearly, it is not likely that the great bulk of people (who most need to do so) will be able to set aside funds to meet the possibility of serious disease and its "catastrophic" costs, or be willing to budget their income so as to provide for the continuing drain of preventive medical attention to incipient ailments. Without drastic changes in the provision of public medical services and in the methods of financing private medical care, illness will continue to jeopardize savings, credit, standards of living, or other values—or go without proper medical attention—among the people.

Data studied by the committee has shown that for individuals and individual families, illness and its consequences are unpredictable as to their occurrence, their severity, and their costliness. For large groups of people, however—and the larger the group the better—practically all illness is subject to statistical and actuarial calculations under the "law of averages."

Illness, therefore, lends itself readily both to the planning of adequate preventive health services and medical care facilities for special groups, for diverse areas and for the State as a whole, and to insurance techniques for distributing the costs of medical care over numbers of people and over periods of time so as to make those costs "bearable" to all.

The economic data found in Section I of this report (when viewed in the light of the incidence of illness found in Section II, the data on the receipt of medical services in Section III, and those on expenditures for medical care in Section IV) indicate that low and moderate income families in California cannot afford adequate medical care and that rural and economically underprivileged counties cannot afford adequate public health services—at least not to the same degree of adequacy as better off families and counties—but that the people of California, as a whole, could well afford the cost of adequate health services and medical care for all the people of the State, if those costs were averaged and in some way distributed over a period of a year or more among all the people.

SECTION V

PRESENT UNMET MEDICAL CARE NEEDS IN CALIFORNIA

The committee is of the opinion that, today, there is little quarrel with the statement that there are unmet medical needs in California and in the United States. This truism is recognized by all concerned.

Unmet medical needs are of two kinds: Those resulting from a complete lack of, or inadequate supply of, medical care facilities, including

hospitals, medical centers, technical laboratories and personnel—including doctors, nurses, dentists and technicians; and those caused by the inability or unwillingness of the people to pay for what medical care is available. The controversy regarding the subject of unmet medical needs begins when one endeavors to establish the extent of the unmet needs.

It is impossible to estimate the extent of unmet medical needs in this State, or the Nation, without first agreeing upon a workable and realistic definition of what constitutes "adequate medical care." Definitions of adequate medical care vary according to the philosophy and the objectives of the individual, group or organization making a survey to determine the extent of unmet medical needs.

It is the opinion of the committee that the wide differences in the claims advanced by various groups regarding the extent of unmet medical needs in this State and Nation is directly attributable to the fact that each group is measuring the need with a different "yardstick" in hand; i.e., they are viewing the problem of unmet needs with different and widely divergent definitions in mind of what constitutes adequate medical care.

The committee has found that the reports of surveys of this problem, undertaken by responsible groups in California and throughout the United States, vary from findings that unmet medical needs are negligible and are to be found only in the indigent class and very low income groups to claims that the vast majority of our people are not receiving adequate medical care and hence represent unmet medical needs.

Both statements are correct as far as they go, and again the wide discrepancy in the findings is directly due to the different interpretative yardsticks used to measure the needs. The real need which can be met, which should be met, lies somewhere between these two extremes.

To establish the existence and extent of the need, it was first necessary to adopt a workable definition of adequate medical care, neither "Utopian" in scope nor too stringent in content. After studying a number of suggested definitions, the committee agreed upon the following statement of what should constitute adequate medical care:

"Adequate medical care is the availability to a person, regardless of income or whereabouts, of the services of a licensed physician and such facilities to aid the physician's activities as he (the physician) finds are necessary for proper care and treatment."

THE UNMET NEEDS

Keeping this definition in mind and turning to the evidences and indications of unmet needs in this State, we find:

Unmet medical needs existing in California and resulting from a complete lack of, or inadequate supply of, medical care facilities and services, including personnel.

These material inadequacies, reflecting unmet medical needs, are readily apparent and have been factually determined. These needs are:

Inadequate and insufficiently available public health services for the prevention and treatment of the diseases and the health conditions that are of the greatest public concern—especially in rural areas. For example, 28 counties in this State still lack a full-time public health department—their mandatory "health officer" is

the war was brought out in a poll of interns, conducted in 1944 by the Association of Interns and Medical Students. The survey showed that fully two-thirds of those responding to the association's questionnaire look forward to specialty practice in an urban community after the war; a mere 10 percent showed interest in rural medical practice. Thus, the uneven distribution of doctors in the United States and in California, which amounts to maldistribution in large rural areas, threatens to become even more critical now, after the war. All evidences point to the fact that until there is an extension to every section of the State of adequate hospital, laboratory, nursing, dietary and other essential health services, the young doctor—trained at our great medical centers in the modern scientific practice of medicine—will continue to shun rural practice.

Inadequate and poorly distributed general hospitals—especially in rural areas. This condition will be remedied somewhat within the next few years, as a result of the current state hospital survey and by federal aid to state, county, municipal governments and to nonprofit organizations for planned hospital construction.

Inadequate facilities for the care of mental cases and chronic ailments. This problem can only be solved by a long-term state and local program. Care of the mentally ill and the chronic sick cannot be covered by a prepayment medical and hospital insurance plan—governmental or private. The overcrowded conditions and inadequacies of our present facilities for the care and treatment of the mentally ill, in California and the Nation, is recognized by all authorities—lay and professional. The rapid growth in the incidence of mental diseases in this Nation is a matter of record, as is the totally inadequate supply of trained professional personnel required to meet the need in this field.

Inadequate development of group medical practice to meet the requirements of present day medical science and current economic conditions—especially in rural areas. The development of group medical practice depends, in urban areas, largely on the attitude of the medical practitioners themselves—which is increasingly in favor of such group practice (an American Medical Association poll of physicians in the armed services showed that 60 percent of those interviewed preferred to engage in group practice after the war). In the rural areas, it can be met only by communities, groups of people, health insurance organizations and/or governmental agencies inviting, promoting and making use of group medical practice. If group medical practice were more widely developed it would stimulate participation in voluntary prepayment insurance plans because a "group," being in a position as a unit to render complete medical services, could offer prepayment health insurance direct to individuals, families, and employed persons in their area.

Inadequate medical care provisions, public or private, for the indigent, for public assistance cases and for the "part-pay," nonindigent elements of the population.

Other indications or evidences of unmet medical needs existing in California and the Nation are:

The figures regarding the health and physical condition of our youth, revealed through Selective Service rejections of draftees during the recent war years showed that:

Thirty-eight percent of all registrants in California were rejected for various reasons. A table of "Estimated Percent Distribution of Rejected Registrants by Age Groups for California" shows the following:

<i>Age group</i>	<i>Percent of total rejected</i>	<i>Age group</i>	<i>Percent of total rejected</i>
18-21 -----	20.2	30 and over -----	48.8
22-25 -----	12.2		
26-29 -----	18.8	18-25 -----	32.4
		26 and over -----	67.6

While these figures in total should not be applied to the problem of unmet medical needs as they represent rejections for reasons over which medical science or the receipts of adequate medical care has no control, they do, in part, represent irrefutable evidences of unmet medical needs.

The figures developed through the Selective Service rejections were all the more shocking to the people of this country because the men rejected were in age groups where one could normally expect the best of health and physical well being.

Of the 4,217,000 rejected draftees in the Nation, and the 374,100 rejected in California, Dr. Lowell S. Goin, former President of the California Medical Association, in an analysis of these Selective Service rejections, estimated that about one-third of the total causes for rejection might be due to a lack of medical care. According to Dr. Goin's estimates, 1,500,000 men in the Nation and 124,700 in California might not have been rejected if they had received adequate medical care in time.

There are other physical evidences of unmet medical needs existing in this State which, too, are not a matter of conjecture. For example, women bearing children without a doctor in attendance; women bearing children without hospitalization; people dying without a doctor in attendance or without medical care during their fatal illness; women dying in childbirth when, today, under the existing knowledge and techniques of medical science, it is estimated that from one-half to two-thirds of these deaths could be prevented if adequate care was rendered. Mortality of infants in the first month of life could also be reduced, possibly as much as one-half, with adequate care for both mother and child. Deaths from acute communicable diseases of childhood; deaths from tuberculosis, pneumonia and many other diseases could be reduced if known medical procedures were applied in time and fully utilized.

As an illustration of what progress can be made, in part, through the proper and timely application of modern public health procedures and medical techniques, in regard to infant mortality in California, one

of the problems named above, the California State Department of Public Health in a special report prepared for this committee shows:

- (a) The average infant mortality rate in California during the period 1920-1924 was 70.3 deaths per 1,000 births;
- (b) And, for the period 1940-1944, this average infant mortality rate had been reduced to 35.8 deaths per 1,000 births. In 1945, the provisional rate shows 32.4 deaths per 1,000 live births—the lowest rate in California's history.

In spite of the fine record for the State as a whole, many of the counties show a higher infant mortality rate than the average for the State.

Turning to "unmet medical needs" caused by the inability or unwillingness of the people to pay for what medical care is available and keeping in mind the definition of adequate medical care discussed above, we find:

Inability of people of low and moderate income, under the present organization and financing of medical care, to get the medical care they need, or to pay for such services as are available, without undergoing hardship or delaying needed medical attention until mild and incipient ailments turn into serious or dangerous diseases—with their even more catastrophic effects on family welfare and finances.

Inability or unwillingness of the majority of people, who most need to do so, to take advantage of the available opportunities for voluntary comprehensive health insurance or of the available—and limited—opportunities for prepaid, complete medical care and thus assure to themselves both needed care in case of serious illness and needed medical services in case of mild or incipient illness.

It is theoretically possible that, given enough time in which to do it, the private prepaid medical care plans and the commercial health insurance companies will prevail upon all people of low and moderate income to join their organizations and pay for comprehensive, budgeted medical care. Any solution to the problem in the foreseeable future, however, if it is to include a large proportion of our people must meet the following minimum conditions:

- (1) The private prepaid medical insurance plans must be made available to the general public on a group or individual basis.
- (2) The costs to individuals and families must be a fraction of the actual costs of budgeting comprehensive medical care under the present individual, fee-for-service methods.
- (3) The payment of such costs by the potential beneficiaries will need to be handled automatically, through pay roll deductions, etc.
- (4) The services offered by the plans must more closely approximate adequate medical care than the limited benefits available today.

Applying the data set forth in the first four sections of this report to the problem of unmet medical needs among the indigent and low and moderate income groups of this State, we find that if these people have, as indicated, more illness and illness greater in severity and longer in duration than people in the upper income brackets and spend less to take care of their greater illness, then the difference between what they do spend and what those with a larger income spend for medical care is a fair, if rough, indication of unmet medical needs.

Recently, independent surveys, public opinion polls and surveys of expert opinion on the subject have materially substantiated the findings of previous authoritative studies and surveys.

For example, in a statement of expert opinion on the subject of unmet medical needs, developed in a survey conducted by Arthur Kornhauser, Ph.D., of the Bureau of Applied Social Research, Columbia University, and conducted on behalf of the *American Magazine*, the following general conclusions were reached :

Large parts of the population failed to receive medical care that is satisfactory either in amount or in quality ;

- (a) A majority of the experts placed a figure of 40 percent as being the number of people getting inadequate medical service ;
- (b) Regarding the lower middle income group, four out of five experts said that the care received is either "definitely unsatisfactory" or "somewhat unsatisfactory," both in cities and in rural areas.

A poll of Washington, D. C., residents in January and July, 1946, conducted by the Washington (D. C.) *Post*, showed that 50 percent of the people with incomes under \$3,000 yearly "delayed visits to the doctor because of expense" as compared with only 10 percent in the case of people earning \$5,000 and over.

In a nation-wide survey, undertaken in 1945 by the National Physicians' Committee, 40 percent of those interviewed indicated that they personally had, or knew of persons who had, "gone without doctor or hospital care because they could not afford it." An earlier 1944 national survey by an independent organization, the National Opinion Research Center, found that 31 percent of those interviewed had "put off going to a doctor because of the cost."

In studies made in 1943 and 1945 by the Opinion Research Corporation of Princeton, New Jersey for the National Physicians' Committee for the Extension of Medical Service—an A. M. A. sponsored organization—it was found that more than half of the people interviewed admitted that they had, at some time, experienced hardship in paying medical bills. Further, 40 per cent of the people interviewed said they were familiar with cases where others had gone without treatment because of financial consideration.

Current expenditures for medical care in California are, on the average, about \$125 per family per year, and were estimated in 1944 at \$100 per family, nationally, by the United States Senate Committee on Wartime Health and Education.

Even higher estimates of the amount required for medical care have been set by groups studying family budgets and by medical-economists estimating the costs of adequate medical care under existing fee-for-service practice. Every state and national survey of expenditures for medical care, over the years, has shown that families with an income of less than \$3,000 yearly, in spite of illness being greater in this group, spend considerably less than the average, considerably less than the amounts allotted for medical care in planned family budgets, less than the estimated costs of adequate medical care and greatly less than the amounts spent by higher income groups nominally in a position to purchase the medical care they need. The table below shows, for six comprehensive national and state surveys, actual average expenditures for medical care by income groups.

AVERAGE EXPENDITURES PER FAMILY FOR MEDICAL CARE

Year	Income group \$3,000 and under*	Income group \$3,000 and over*	Percent of average expenditure of "over \$3,000 group" expended by "\$3,000 or under group"
1928-31 ¹ -----	\$92.89	\$449.66	20.6%
1934 ² -----	69.11	152.40	45.3
1934-35 ³ -----	71.55	272.76 (\$5,000 & over)	26.2
1941 ⁴ -----	61.86	189.91	32.9
1941-42 ⁵ -----	61.00	263.66	23.1
1945 ⁶ -----	83.50	199.33	41.8

* The principal reason for the wide variation in the average amounts expended in each survey is due primarily to all medical expenditures being included in some surveys and only a nominal number of expenditures being covered in others.

¹ Committee on the Costs of Medical Care, Study of California Family Expenditures, 1928-31.

² California Depression and Health Study, 1934.

³ California Medical Economic Survey, 1934-35.

⁴ Bureau of Labor Statistics and Bureau of Agricultural Economics, 1941.

⁵ Office of Price Administration, Study of Civilian Spending and Saving.

⁶ Bureau of Labor Statistics.

The amounts of money expended, on the average, by the two income groups above are merely indicative of the relative amount of medical care purchased and received. The difference between the amounts given for each group does not, of itself, reflect the extent of the need. Traditionally, the well-to-do have generally been charged more for the medical services they receive and, then too, in the higher income group, costs of services such as private room hospital care, private nursing care and auxiliary services are included which may or may not have been essential to the illnesses under treatment.

THE MEDICAL SERVICES NEEDED AND RECEIVED

Units of Medical Service Received per 1,000 Individuals or per 1,000 Illnesses in Families With Specified Incomes Compared With Services Needed to Meet Standards of Good Medical Care. Data on Services Received, Based on 38,668 White Persons in 8,639 Families Surveyed for 12 Consecutive Months, 1928-1931.

Unit of service	Services in families with specified income					\$10,000 and over	Services needed to supply good medical care
	Under \$1,200	\$1,200- \$2,000	\$2,000- \$3,000	\$3,000- \$5,000	\$5,000- \$10,000		
Number per 1,000 Individuals							
Home, office and clinic calls (Physicians) ^a	1,931.9	2,045.9	2,296.7	2,741.4	3,621.4	4,734.4	5,649.5
Hospitalized cases ^b	59.4	52.4	59.4	63.1	79.3	98.0	107.0 ^c
Days of hospital care ^c	927.9	666.7	757.4	604.2	840.3	1,200.8	1,384.7
Dental care (persons over three years of age) ^d	117.9	184.6	247.5	309.4	446.0	622.0	1,000.0
Health examinations ^d	83.2	68.0	69.1	82.2	121.7	234.0	941.9
Immunizations ^e	68.5	49.2	50.9	59.6	84.3	120.2	185.3
Refractions or glasses	24.5	24.6	39.6	53.8	89.6	159.7	175.0
Home and office calls (secondary practitioners and cultists) ^f	154.6	139.1	230.4	231.1	459.0	569.2	
Number per 1,000 Illnesses							
Hospitalized cases ^b	74.0	65.1	71.6	71.6	80.1	88.2	121.2
Surgical cases hospitalized	44.2	42.0	49.6	48.1	58.6	62.6	51.3
Cases having X-ray	23.8	25.2	27.0	31.0	48.5	75.4	186.4
Cases having laboratory service	51.7	61.6	68.8	82.8	120.3	132.3	581.7
Prenatal or postnatal calls ^g	6,939.0	7,230.0	9,551.0	11,386.0	12,382.0	13,000.0	19,360.0 ^h
Hospitalized cases having special nursing ^b	67.0	125.0	164.0	251.0	379.0	685.0	578.0 ^c

^a For illness only. Excludes calls for preventive service.

^b One day or longer in all hospitals.

^c Excludes care in tuberculosis sanatoria and mental hospitals.

^d Includes well-baby care.

^e Includes service whether or not accompanied by illness.

^f Rates per 1,000 maternity cases. Excludes calls in hospital.

^g All calls, including those in hospital.

^h Rates per 1,000 hospitalized cases in all hospitals. Restricted to cases involving 1 day or more of hospital care.

SOURCE: Medical Care For The American People, p. 8.

A much truer and more accurate picture of unmet medical needs is given in the table below where the "units of medical service received per thousand individuals and illnesses" are compared with the "services needed to meet standards of good medical care" as established by the Committee on the Costs of Medical Care—composed primarily of outstanding medical authorities and practitioners.

From the table above, we find that, measured by the standards established, the income groups \$3,000 and under and the income groups \$3,000 and over received the following percentages of the services recommended:

	Individuals and families under \$3,000 percent	Individuals and families \$3,000 and over percent
Home, office and clinic calls (physicians) -----	37	65½
Hospitalized cases -----	53½	75
Days of hospital care -----	57	64
Dental care (persons over three years of age) -----	18	46
Health examinations -----	7½	15½
Immunizations -----	30	48
Refractions or glasses -----	17	57

Comparing the services received and the services required, according to the standard established and shown in the lower half of the table, we find that:

	<i>Individuals and families under \$3,000 percent</i>	<i>Individuals and families \$3,000 and over percent</i>
Hospitalized cases	58	66
Surgical cases (hospitalized)	88	110
Cases having X-ray	13½	28
Cases having laboratory service	10½	19
Prenatal or postnatal calls	39	63
Hospitalized cases having special nursing	20½	76

The difference between what those in the \$3,000 and under income bracket actually spent, as compared with the average family expenditure, and what those in the higher income bracket spent is a fair indication of the extent of unmet medical needs existing among the low and moderate middle income group in this State, and Nation.

On the basis of the indications and evidences of unmet medical needs outlined above, it is estimated that unmet medical needs exist in the indigent class throughout the State and are particularly prevalent among the low and moderate middle income group, comprising 50 percent of the population of this State—those earning \$3,000 yearly, or less.

The committee recognizes the inability of low and moderate income people, under the present organization and financing of medical care, to get the medical care they need, or to pay for such services as are available without undergoing hardship or delaying needed medical attention until mild or incipient illnesses turn into serious or dangerous diseases—with their even more catastrophic effects on family welfare and finances. This is particularly applicable to and true of the poor and low income groups. The committee recognizes that with the rapid increase in the cost of living, including increased cost of medical care, even the \$3,000 criteria may soon be obsolete.

Responsible surveys have shown that even the nominally well-to-do, though generally in a position to purchase the amount of medical care they feel they need, do not always receive adequate medical care, either through their unwillingness or inability to purchase what medical care is available. The committee recognizes that the burdens of sickness may fall just as heavily on individuals and families earning more than \$3,000 per year as in the lower group. However, taking the problem as a whole, it is in the \$3,000 and under bracket that the need is most extensive and has been proven through the findings of a number of authoritative studies.

Innumerable surveys of the adequacy of medical care in the United States have been made since the Committee on the Costs of Medical Care undertook its nation-wide study during the years 1928-31. This study, a most authoritative and complete survey of medical economic conditions and related problems in the United States, was directed by Dr. Ray Lyman Wilbur. The findings of this committee, published in its final report, "Medical Care For The American People," in 1932,

have been, in general, substantiated by all authoritative studies undertaken by responsible groups in later years.

In summary, the Committee on the Costs of Medical Care, on the subject of unmet medical needs, found that:

1. The people need a substantially larger volume of scientific medical service than they now utilize.
2. Modern public health services need to be extended to a far greater percentage of the people, particularly in rural areas, towns and small cities.
3. There is need for a better geographical distribution of practitioners and agencies more closely to approximate the medical requirements of the people.
4. In the rural and semirural areas, the current expenditures for medical care are insufficient to insure even approximately adequate service, to support the needed medical care facilities, or to provide satisfactory remuneration to the practitioners.

These findings on the problem of unmet medical needs were subsequently substantiated by later studies, i.e., the California Depression and Health Study (1934); California Medical Economics Survey (1934-1935); National Health Survey (1936).

Evaluating the extent of unmet medical needs in this Country in 1938, the National Health Conference learned from its Technical Committee on Medical Care that it had reached the following conclusions regarding the needs.

THE NEEDS

1. "The deaths of women in childbirth present a special challenge; with adequate care, from one-half to two-thirds of these deaths could be prevented.

2. Mortality of infants during the second to the twelfth month of life, though showing consistent decline, might be further reduced by as much as one-half. Mortality in the first month of life has declined but little; these deaths also may be reduced by as much as one-half with adequate care of mother and child.

3. The death rates from the acute communicable diseases of childbirth have been greatly reduced; further reduction can be brought about by the application of known measures of prevention and cure. Appropriate treatment of children with rheumatic heart disease will restore nearly two-thirds to normal life. Early treatment of children with infantile paralysis is well known to prevent such crippling.

4. The development of rapid methods of determining the type of pneumonia and the production of sera for many types of the disease have revolutionized treatment; the benefits of modern therapy must be made generally available.

5. Deaths from tuberculosis can be reduced 50 percent by health supervision of industrial workers in occupations predisposing to the disease by detection of incipient cases, and by provision of adequate medical and institutional care in the early stages of the disease.

6. Each year, 518,000 new cases of syphilis go to doctors. More than half a million more resort to self medication or "quack" treatment. In addition, care and rehabilitation of those insane and blind as a result of untreated past infections constitute a major drain upon welfare, security and relief funds. Yet the diagnosis and treatment of syphilis are highly perfected and it has been demonstrated that a program of control could reduce this toll by more than 95 percent.

7. There is urgent need for a concerted attack on the cardiovascular-renal diseases, cancer and diabetes which are increasing in importance as causes of death and disability in the older age groups.

8. In light of the high incidence of tuberculosis and pneumonia among industrial workers, and the diseases due to the special hazards of occupation increased activities in the field of industrial hygiene are essential.

9. The health problems of the dependent and low income families need consideration commensurate with their severity. The amount of medical care obtained by individuals differs with economic status; the well-to-do obtain more, the poor less. This is so notwithstanding the fact that the poor have more sickness and more disability and need more (not less) service.

10. The ineffective distribution and, in some cases, lack of medical, dental and nursing personnel has serious implications for the health of those living in small cities and rural areas.

11. There is need for national and regional planning in the field of hospital expansion and construction. An effective system of modern health service is impossible without well equipped hospitals which will provide the facilities necessary for the practice of modern medicine. Inadequacies in hospital care are known to exist in many localities, particularly in rural areas and areas in economic need."

And finally, in 1945, the United States Senate Committee on Health and Education reported that:

"Intensive investigation and the testimony of many expert witnesses has convinced the committee that a great deal of illness and disability could be avoided if the benefits of modern medical and public health science were made readily available in all sections of the country and to all persons, regardless of economic status."

Also having a bearing on unmet medical needs, the committee reported that:

"A considerable part of the population does not receive either the amount of, or the quality of, medical care it needs and should have because good medical care is necessarily expensive; the burden of illness is unpredictable and falls unevenly, striking one family

much harder than another; sickness comes unexpectedly and may wipe out the laboriously acquired savings of an entire family."

OTHER MEDICAL NEEDS IN CALIFORNIA

During the course of the study, the Senate interim committee received reports from California medical and community organizations regarding general unmet medical needs in this State which the organizations reporting wished to call to the attention of this committee. A few of the reports received are briefed and given below.

American Cancer Society, California Division, Lyell C. Kinney, M.D., Chairman of the Executive Committee, reporting:

"We of the American Cancer Society, California Division, have consulted the Cancer Commission of the California Medical Association and the Bureau of Chronic Diseases of the State Department of Public Health for data bearing on cancer problems and needs in California. The statements and data submitted herewith represent the combined efforts of the three agencies.

"Certain general statements concerning cancer in California may be made:

1. Cancer is now the second leading cause of death. In 1945 it claimed 12,308 lives in California.
2. According to conservative estimates, at least one-fourth of such cancer deaths would be avoided if current knowledge were systematically applied.
3. Besides the curable cases which are not being cured, there is an unknown but undoubtedly considerable number of advanced cancer patients. These, too, often live in misery at home and constitute a burden to their families. Many of them would be benefited by palliative treatment and proper care in hospitals or by home nursing service.

"Consensus of medical opinion is that a large part of cancer mortality is due to the period of delay between the inception of the disease and adequate treatment. A cancer control program which includes education of the public, professional education and organized cancer clinics can be effective in reducing this mortality."

California Heart Association and Heart Division of the California Tuberculosis Association, J. K. Lewis, M.D., reporting:

"The Heart Advisory Committee of the California Tuberculosis and Health Association and the officers of the California Heart Association wish to report that an extensive unmet need for medical care in this State is represented by the lack of facilities for the care of rheumatic children.

"To our knowledge there is a serious deficiency in the number of hospital and convalescent beds for this group of children. Like tuberculosis, rheumatic fever requires long term specialized care. The disease is the first cause of death in children from 10 to 14 years. A large percentage of children and young adults who do not die from

the first or second attacks of the disease are frequently so crippled that they are handicapped for life. This crippling of the heart does not show, but it affects the vitality, the earning power, and the lives of many California families. The problem is one which must be solved by state-wide effort. Very few families can fight rheumatic fever alone.

"We call rheumatic fever and rheumatic heart disease to your attention as one of California's major public health problems.

"A study now underway by the Crippled Childrens Services of the State Department of Public Health, will reveal the costs of and needs for medical care for this group of children based on a five-year demonstration in Solano and Contra Costa Counties.

"The Heart Committee of the San Francisco Tuberculosis Association reports another medical care problem related to heart disease—the use of penicillin in the treatment of subacute bacterial endocarditis until recently considered a fatal disease.

"Experiments carried on in various medical centers throughout the country indicate two things very clearly:

1. Early diagnosis of the disease plays an important role in its successful treatment.
2. It takes more penicillin to cure this disease than any other form of infection.
3. Adequate amounts over a sufficiently long period will eliminate the infection and cure the patient.

"The average case of endocarditis will respond to a dose of 200,000 to 400,000 units per day for a period of 60 days.

"The cases caused by the highly resistant organisms may take anywhere from 5,000,000 units a day to 20,000,000 units a day for 60 to 90 days.

"Penicillin costs wholesale approximately \$0.50 per 100,000 units. Five million units a day means \$25 a day. For 90 days it means \$2,250. Twelve million units a day costs \$69 a day—90 days—\$5,400. Twenty million units a day costs \$100 a day—90 days—\$9,000. This is for the drug alone.

"Add to this figure three months' hospitalization at \$8 to \$11 a day (ward rates). This means that it will cost those particular patients anywhere from \$3,000 to \$10,000 to effect a cure.

"There is another aspect of the financial situation. Many of these patients have been fighting the disease in one way or another for some time before they reach the stage of massive penicillin treatment.

"Although the disease is not uncommon in youth and old age, most of the patients will be between the ages of 25 and 50—at the height of their economic productivity.

"The heart committee has estimated, on the basis of figures for the past two years, that during any one year in San Francisco, there will be at least between 15 and 20 patients harboring resistant organisms and requiring large doses of penicillin. They will be scattered between the various hospitals, all of which will be faced with

the problem of providing the penicillin for the patient who cannot afford the drug."

Welfare Council of Metropolitan Los Angeles. Data abstracted from published material submitted to the committee covering factual information reported at a "Workshop" meeting on "Human Needs During Reconversion," held at the Ambassador Hotel, March 25, 1946, and sponsored by the Welfare Council.

"Medical, dental, hospital and other professional services are too costly for many clients who need such aid.

"Health agencies, both public and private, are badly understaffed in relation to the great population increase which has taken place in the Los Angeles area. These doctors, nurses and technicians have been able to hold epidemic possibilities in check through their vigilance, but breakdowns occur that affect many individuals. There are gaps in the services that should be filled to build up community health.

"Medical and dental needs have been aggravated because they were neglected during the war period, due largely to a lack of doctors and dentists. In the shortage of physicians, workers say there is an inequitable geographic distribution of doctors.

"The reports from field workers decry the lack of dental appliances and glasses and the lack of neighborhood clinics offering free dispensaries.

"There is a need for more city and county health nursing service.

"The Visiting Nurse Association should be enlarged, for the chronically ill who can remain at home must have service.

"There is a need for housekeeping services for those physically or mentally unable to care for themselves. Postoperation cases need home service.

"Regarding the attitude of patients towards the Los Angeles General Hospital, a number of points were brought out. These include:

"1. Long distances required to travel.

"2. Long waits at clinics.

"3. Personnel shortages and tension of the staff.

"4. Fear engendered by recent reports as a result of the legislative hearing on the hospital.

"5. Need for decentralization of these facilities and more individualized service.

"There is great difficulty experienced today in getting medical, dental and related services to low and borderline income groups.

"Among the shortages noted by the workers are hospital beds, school nurses and school doctors, mental hygiene clinics for adults and youths.

"There is reluctance on the part of private dentists to deal with children's dental problems.

"There is a lack of rest homes and boarding homes for those chronically ill.

"The aged have special medical problems which are not being solved.

"There is a great need for health education on a community-wide basis, with special reference to Spanish-speaking groups, Negroes, etc.

"Maternity costs for discharged veterans' families are almost prohibitive.

"Child guidance facilities and well baby clinics should be increased.

"There should be a greater development of institutions for epileptics and mental defectives with good programs of training during rehabilitation.

"In summing up, three expert commentators at the meeting stated:

"In health, experts pointed out that great sums are expended on cure but a comparatively small amount of money is made available for prevention. At the present time, more than one-half of the hospital beds in the State of California are used by the mentally ill. In this connection, it was pointed out that recently \$15,000,000 was appropriated to care for the mentally ill for one year, while only \$135,000 was appropriated to establish four mental hygiene prevention clinics.

"Los Angeles needs approximately 6,000 more hospital beds to meet minimum requirements.

"Need for legislation to insure medical care for all who need it."

Oakland, California Community Chest, East Bay Health Council, reporting:

Hospitals

"A study recently completed by the Alameda County Medical Association shows an acute shortage of hospital beds for Alameda County. A similar situation exists in Contra Costa County. The area as a whole probably has a more acute lack than is indicated in the Alameda County survey. This is particularly true in regard to part-pay beds. There are practically no beds available in the area for patients who cannot pay full cost. The agencies who are dealing with patients of limited means and trying to secure medical care for them therefore have to find the money in their own budgets to supplement what the patient can pay, or arrange for full-pay hospital care during a part of the patient's stay and then transfer him to Highland Hospital for the remainder. This procedure is extremely bad since it interferes with continuity of medical care as well as hospital care. Free beds available in the area are limited to Highland Hospital and a few in Merritt Hospital. Children's Hospital has funds for part-pay and free patients and Berkeley Hospital arranges for some part-pay care, but has no Community Chest money for this purpose. The great need in the area is therefore for a larger number of less expensive and part-pay hospital beds.

Mental Hygiene

"The East Bay has no psychiatric treatment facilities either for part-pay or full-pay or for outpatients or inpatient care. This situation will be somewhat improved by the opening of a clinic for veterans by the Veterans Administration. The large majority of the population, however, is dependent upon San Francisco clinics and hospitals which are greatly overcrowded. The lack of mental hospital facilities in the East Bay has resulted in an acute shortage of private psychiatrists. There is urgent need for both inpatient and outpatient care for mentally ill persons and for children who are emotionally disturbed.

Handicapped Children

"Alameda County has not yet set up a central file for handicapped children, established diagnostic facilities for them, nor has it appropriated the funds for their treatment required in the bill passed by the last Legislature. A local committee under the health council is now working on a plan for organizing adequate service under public auspices and coordinating the services of the private agencies in the area serving this group of children.

Multiplicity of Public Health Units

"One of the most acute problems in the area is the irregularity of preventative services, since each municipality has its own health department which sets up its own rules and has its own philosophy of work. Any state legislation or any state regulation of the health departments which would tend to iron out these differences would be helpful. However, the health officers are now trying to do voluntarily some of the things which most need to be done. Public health nursing is very scattered and the nurses themselves are now organized to bring about better coordination of the many nursing departments in the area. While they have not yet arrived at any plan which would require legislation, this may eventually develop.

Health Education

"Public education on all phases of public health, including tuberculosis, heart, cancer prevention, immunization, dental hygiene and mental hygiene, should be planned on a state-wide basis available to all parts of the State.

Chronics and Convalescents

"Another severe lack in the area is facilities for resident care of chronics and convalescents. This is particularly noticeable in the case of old people who cannot care for themselves and have not families on whom that responsibility can rest, and in heart cases, especially rheumatic heart disease, where long convalescent care is often impossible under crowded home conditions."

Pasadena Council of Social Agencies, Inc., Health Section Committee, Mrs. Barbara M. Nichols, reporting for the committee:

"To meet your request for data and recommendations relative to unmet medical and health needs in our community, a committee was appointed from the Health Section of the Council of Social Agencies

and charged with the responsibility of analyzing the material and formulating a report. Data were submitted by the following member agencies: Pasadena Chapter American Red Cross, Pasadena Child Guidance Clinic, Child Guidance Department of Pasadena City Schools, City Health Department, Pasadena Dispensary, Medical Aid District of the County Bureau of Medical Social Service, Huntington Memorial Hospital, Pasadena Health School, Pasadena Tuberculosis Association, Visiting Nurse Association of Pasadena, and The Woman's Hospital.

"In the opinion of the committee, the local unmet health needs which are enumerated herewith are those which are pertinent to the study being made by the Senate Interim Committee on Medical Care.

"1. An increase in the number of institutions for the mentally retarded and an improvement in the quality of care in these and other state health institutions. (We understand that there are nearly 4,000 on the waiting list at Pacific Colony which serves our area.)

"2. An institution for the resident observation and study of mentally abnormal and subnormal children and adults. There is no such resource for preliminary psychiatric service available to the Pasadena area.

"3. An increase in the staff of the Pasadena City Health Department commensurate with the increase in population. The present personnel is considered adequate in number to serve a population of 50,000 whereas the recent special census revealed a present population in excess of 98,000.

"4. Expansion of some type of prepayment plan for medical care to make it available to individuals as well as to members of groups.

"5. An increase in the number of hospital beds. (At present the Pasadena area has about 2.6 beds per 1,000 population, in contrast to the 4.5 beds per 1,000 necessary for adequate coverage.) A related need is for additional beds in acute hospitals of this area for patients requiring chest surgery. There is also a need for hospital beds for the mentally ill.

"6. An increase in the number of nurses being educated to meet the great inadequacy in number of graduate nurses.

"7. An increase in rest home facilities for care of the chronically ill aged person. (This problem is more acute in Pasadena than in many areas because of the fact that 15.3 percent of our population falls in the old age group as compared with 8 percent for the State as a whole.)

"8. A local health center in which would be located hospitals, clinics, laboratories and related services, both public and private.

"In preparing this report, the committee agreed to omit from the tabulation of unmet needs those which, in their opinion, could best be provided through our own efforts locally. Inasmuch as you are

interested in a cross-section of community opinion, we assume you have sent a similar request to the local branch of the medical society and to our local general hospitals."

SECTION VI

DEMAND FOR A SYSTEM OF PREPAID MEDICAL CARE

The committee, in its studies, has found that the basic question of whether the people want some system of health insurance or not has been answered in the affirmative. While the basic question has been answered, the other questions which emerge as a consequence of the demand by the people for health insurance, i.e., whether the insurance should be on a voluntary or compulsory basis, on a state or national level, private or governmental; whether it shall cover nearly everybody or only low and moderate income people; whether physicians who work with it shall be paid on a per capita or on a fee-for-service basis; whether it should be based primarily on group rather than individual medical practice; and whether it shall be wholly under the control of M.D.'s or only directed by them as to its technical and professional medical aspects, have not, as yet, been decisively answered by the people.

All the authoritative national, state and local public opinion polls that have been taken in this country have shown an increasing awareness on the part of the majority of people of unmet medical needs that are due largely to inability or unwillingness to meet the high costs of medical care and an increasing popular demand for some type of prepaid medical care and a growing interest in the possibility of government health insurance, state or national.

While over 125 pages of the "study materials" prepared for the committee are devoted to these data, a few highlights from these public opinion polls are set forth below:

IN 1946 PUBLIC OPINION POLLS (NATIONAL, STATE AND LOCAL), THE PEOPLE EXPRESSED THEMSELVES AS FOLLOWS

Washington, D. C.

"Washington (D. C.) Post," Public Opinion Poll of Washington, D. C., residents.

Seventy percent of those polled were in favor of the President's health insurance program, i.e., compulsory and organized and administered by the national government. Almost 9 of every 10 residents earning less than \$4,000 yearly favor the adoption of national health insurance legislation. Those in higher income groups support the plan by a slightly smaller majority.

Fifty percent of those interviewed now participate in some private, voluntary health, hospitalization or accident insurance program. Of these, the 50 percent now having some type of private, voluntary health insurance protection, 79 percent favored adoption of a compulsory government plan, while 84 percent of those without private voluntary insurance favored the President's national health insurance program.

California

Public Opinion Survey for the Assembly interim committee, conducted by the firm of Knight and Parker.

Fifty percent of those interviewed believed that the State (California) Government should promote and operate a plan of health insurance in competition with existing private and voluntary insurance plans.

Thirty-two and seven-tenths of those polled now participate in some private, voluntary health, hospitalization or accident insurance program.

Seventy-six percent expressed a preference for a "voluntary" plan and 21.7 percent favored a "compulsory" plan.

Of those favoring a "compulsory" plan, farmers and farm workers lead with 37 percent and 34.3 percent respectively as compared with only 17.6 percent of the professional people voting for a "compulsory" plan.

New York State

Public Opinion Poll, conducted by "Surveys Incorporated," in New York State.

Eighty-six percent of those interviewed think that "everybody who lives in the state should have insurance which pays the doctor and hospital bills."

Seventy and three-tenths percent prefer to make regular payments in advance for insurance that will pay doctor and hospital expenses if and when they occur. The majority interviewed prefer government sponsored and operated health insurance plans, 48.4 percent for a federal and 32.8 percent preferring a state plan.

United States Public Opinion Polls

A poll of the American people on National Health Insurance, conducted by Dr. Gallup of the American Institute of Public Opinion in May, 1946, showed that:

Sixty-eight percent of the people polled think that "something needs to be done" in answer to the question: "What do you think should be done, if anything, to provide for the payment of doctor, dentist and hospital bills for people in this Country?"

However, 26 percent do not think anything should be done.

Of those thinking that something should be done, 17 percent are in favor of a voluntary insurance program, 11 percent propose the inclusion of medical insurance under social security legislation, 11 percent suggest special grants for hospitals and clinics to care for the indigent, 6 percent propose private or public charity to care for the needy, 12 percent give miscellaneous suggestions, and 16 percent do not know what should be done.

IN 1945, PUBLIC OPINION POLLS (NATIONAL, STATE AND LOCAL) FOUND THE AMERICAN PEOPLE EXPRESSING THEMSELVES AS FOLLOWS

United States Public Opinion

The Opinion Research Corporation conducted national surveys in 1943 and 1945 for the "National Physicians' Committee for Extension of Medical Service" and utilized a nation-wide staff of interviewers to talk to the people of the Country.

Seventy-seven percent of those interviewed said, "Yes, something could be done to make it easier for people to pay for doctor and hospital care." (Eight percent more people in 1945 as compared with 1943 answered this question affirmatively.)

Sixty-four percent preferred a "Pay-in-Advance" plan, 13 percent preferred a national insurance program.

The balance proposed various suggestions in varying percentages: 45 percent voted for a "government sponsored" plan, 43 percent preferred "non-governmental" sponsorship. Fifty-five percent of those interviewed, in answer to the question, "Do you think the Federal Government plan would be a good thing or a bad thing for the Nation as a whole?" expressed themselves as thinking it would be a good thing, and another 8 percent saw in it at least some possibility of good.

Seventy-eight percent of the people informed on prepayment plans preferred paying in advance to paying just when sick, while 51 percent of the rest of the public made this choice.

New York State

The New York State Grange, in 1945, sent out a questionnaire to Grange "leaders" throughout the state, representing 136,000 members. The findings were as follows:

Sixty-nine percent were in favor of some kind of insurance against the major costs of medical care.

Eighty-four percent were against a "compulsory" plan, but if a program were made "compulsory," 87 percent favored that it should cover farmers and agricultural workers as well as industrial wage earners.

Ninety-nine percent voted for free choice of doctor and hospital.

Sixty-five percent preferred to belong to a private rather than a state plan.

To briefly review some of the findings of earlier public opinion polls, the committee, in its study of the problem, found, for example, that in a survey conducted by *Fortune Magazine* in 1936 that 74 percent of the people interviewed said that "Government should provide medical and dental care at the expense of the taxpayer for those who can't pay." In 1939, a *Fortune* Survey revealed that 59.2 percent of the people interviewed thought that the "Government should own and operate some of the Nation's hospitals and medical services." And again, in 1942, the *Fortune* Survey found that 74.3 percent of the people interviewed felt that the Federal Government should collect taxes and provide "medical care for everyone who needs it."

The National Opinion Research Center, University of Denver, in August, 1944, in a national survey, found that:

Eighty-two percent of those interviewed thought that something should be done to make it easier for people to get medical care when they need it.

Fifty-five percent preferred a pay-in-advance plan and 68 percent thought it would be a good idea if the Social Security Law provided for the doctor and hospital care people might need in the future.

A U. S. Department of Agriculture Survey of Farmers' Views, in 1944, found that:

Eighty percent of those interviewed would favor an increase in public clinics in rural areas after the war.

Seventy-five percent said they would like to subscribe to some flat-rate prepayment plan to cover possible hospital bills for themselves and their families and to cover the cost of doctors' and nurses' services.

A survey conducted in 1944 by the firm of Foote, Cone and Belding for the Michigan Health Council polled the following in answer to questions put to Michigan residents:

Forty-two and eight-tenths percent were against "a government operated medical hospital plan," while 38.7 percent were for such a plan and 17.9 "didn't now."

The same organization (Foote, Cone and Belding) in conducting a state-wide survey in California for the California Medical Association, in 1943, found that 50 percent of the people interviewed answered "Yes" to the question, "Do you think we should have some sort of a socialized, government-controlled medical plan?" While 35 percent in this survey voted for the "present system of voluntary practice," 58 percent voted for some type of prepayment medical insurance plan, 35 percent voted for a voluntary prepayment plan with free choice of doctor (4 percent of this group preferred the services of "doctors employed by a group clinic or medical center"); 23 percent voted for a "government-controlled plan

supported by tax funds" which would entitle them to services of "government-employed doctors."

The committee, in its studies, reviewed a referendum conducted by the Chamber of Commerce of the United States in 1944 (see "Health Insurance in America," Second National Conference on Social Security, sponsored by the United States Chamber of Commerce, January, 1945) which revealed that:

Ninety percent of the membership felt that employers should explore the possibility of providing protection for their employees against disability and sickness.

Ninety-four percent felt that voluntary group effort to provide more adequate medical services for all the people should be urged.

Ninety-two percent felt that if public action is to be taken, it should be at the state and local levels rather than at the federal level.

And, in this referendum, 86 percent of the Chamber of Commerce membership expressed themselves in favor of the statement that "A Social Security program should provide a minimum layer of basic protection against the major economic hazards of life but should be so designed and administered as to encourage additional savings and self-protection by the individual through his own efforts." It is reasonable to assume that a portion of the "minimum layer of basic protection against the major economic hazards of life" recommended would include some protection against the hazards of poor health.

The committee has found that the trend as expressed by the general public in national, state and local public opinion polls is further substantiated by a poll of "expert" opinion on medical care conducted, in 1944, by Arthur Kornhauser, Ph.D., of the Bureau of Applied Social Research, Columbia University, for the *American Magazine*.

Those who took part in the poll are men and women who have been studying the issues for years. More than half of them are physicians—some in private practice, others in public health work, in hospitals, universities, industries and group health systems.

Ninety-nine percent of the experts voted that "The American people should be protected by some form of health insurance."

Sixty percent voted that "This insurance should be compulsory and operated by the Government." The experts who are physicians divide almost 50-50 on this question. The social economic authorities, on the other hand, favor compulsory insurance 75 to 25 percent.

Forty percent voted that "The insurance should be private and voluntary."

It is interesting to note that this poll of experts took, as its starting point, the premise that though—

"medical discoveries and techniques have raced forward * * * only a portion of the public receives the full benefits of the new knowledge. Millions of Americans still don't receive adequate medical care."

It therefore sought an answer to the question: "How can we bring the best of modern medical service to the great masses of our people in view of the fact that at present it is beyond the pocketbook of a large part of the population?"

"Should we simply improve our existing arrangements for providing medical service? Should we make it possible for most Americans to join private, voluntary medical insurance plans? * * * Should we go farther and put health insurance on a compulsory, nationwide basis? Should medical care be changed from private to government supervision in the same way that education was changed from private schools to a public school system?"

These were the questions that Dr. Kornhauser put to the experts.

In an essay of American public opinion and of expert judgment on the current status of medical care in the United States, printed in the December, 1944, issue of *Fortune*, titled "U. S. Medicine in Transition," the editors listed among the findings the following:

1. The state of United States medicine is a social problem.
2. The people of the United States are ready to do something about it.
3. Further, the people are so ready for reform of the structure and economics of medicine that they are willing to effect it by compulsion.
4. In a "fight to the finish" between standpatters and compulsory reformers, the public's "felt need" would eventually produce compulsory measures, even over the protests of the profession, because nobody who refuses to recognize a real and grave danger can long win over somebody who faces the facts.

Another indication of a "demand" for a system of prepaid medical and hospital insurance in this State was found in proposed union contracts presented to employers in 1945 and 1946 by both A.F.L. and C.I.O. Unions wherein medical and hospital care, to be paid for in full by the employer, was asked for the worker and his dependents. From all indications, this type of "demand" will increase in the future and in some instances be the major issue in employer-employee collective bargaining negotiations.

From the foregoing, the committee concludes that:

1. The vast majority of the people are in favor of doing something to make it easier for people to pay for doctor and hospital care.
2. The preponderance of opinion is in favor of some type of prepaid medical care insurance—"pay-in-advance" plan—to provide hospital and medical care.
3. While there is a division of opinion as to whether the prepaid medical insurance plan should be "voluntary" or "compulsory," the majority of the polls favor governmental control in whole, or in part, if necessary, and the demand for a government operated plan is apparently growing.
4. The majority of people overwhelmingly favor free choice of doctor and hospital regardless of whether the plan discussed is governmental or private-compulsory or voluntary.

SECTION VII

PRESENT STATUS OF PREPAID MEDICAL CARE PLANS IN CALIFORNIA

A tabulation of the major benefits offered by 22 voluntary prepayment medical plans in California, today, is given in the following pages, plus a graph showing, for comparative purposes only, the relative number

of services offered by each plan and the costs. No attempt was made to determine the relative value of the services offered in relation to each other. In each case, the maximum benefits available under each plan are shown as applied to a family group of four (husband, wife and two minor children) and assuming an annual family income of \$2,450.

From a study of these representative voluntary plans it is the opinion of this committee, in answer to the question covered in this section of the report, that:

1. Within the limitations of the benefits offered and the very limited number of subscribers and dependents covered, the plans are meeting a real need in this State and are rendering a needed public service.
2. Though the number of persons subscribing to these plans, even when dependents are included, represent a very small fraction of California's total population and represent a slower and much smaller growth than similar plans in other advanced states and the average for the Nation, some California plans showed a remarkable growth during the past year.
3. While the services offered under the most "complete" plans do not even approximate "adequate medical care," they do offer a real cushion of protection in case of "catastrophic" illness and serve the subscriber in the same manner as other types of limited insurance protection do, i.e., deductible policies and coinsurance, etc.
4. The major weaknesses of existing plans are:

(a) They are not generally available to the public unless:

1. The person is in a "group" that meets the group enrollment requirements of the plan;
2. And, if in a "group," the group must be located in an area where the benefits under the plan can be provided.

The plans are not available to the general public throughout the State, nor to individuals. On a state-wide basis, they are generally open to "group" enrollment only. Of the 22 plans studied, only two are available to even "groups" on a state-wide basis.












- (b) The costs of voluntary prepaid medical insurance are often beyond the reach of those who most need the protection, particularly if the worker and all his dependents are to be included in a fairly "complete" medical service program.
- (c) The income restrictions are too low considering present day economic conditions.
- (d) There are no "standards" established for the minimum benefits to be provided for the premium charged so that the "benefits" offered vary widely from plan to plan.

PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLANS OF CALIFORNIA

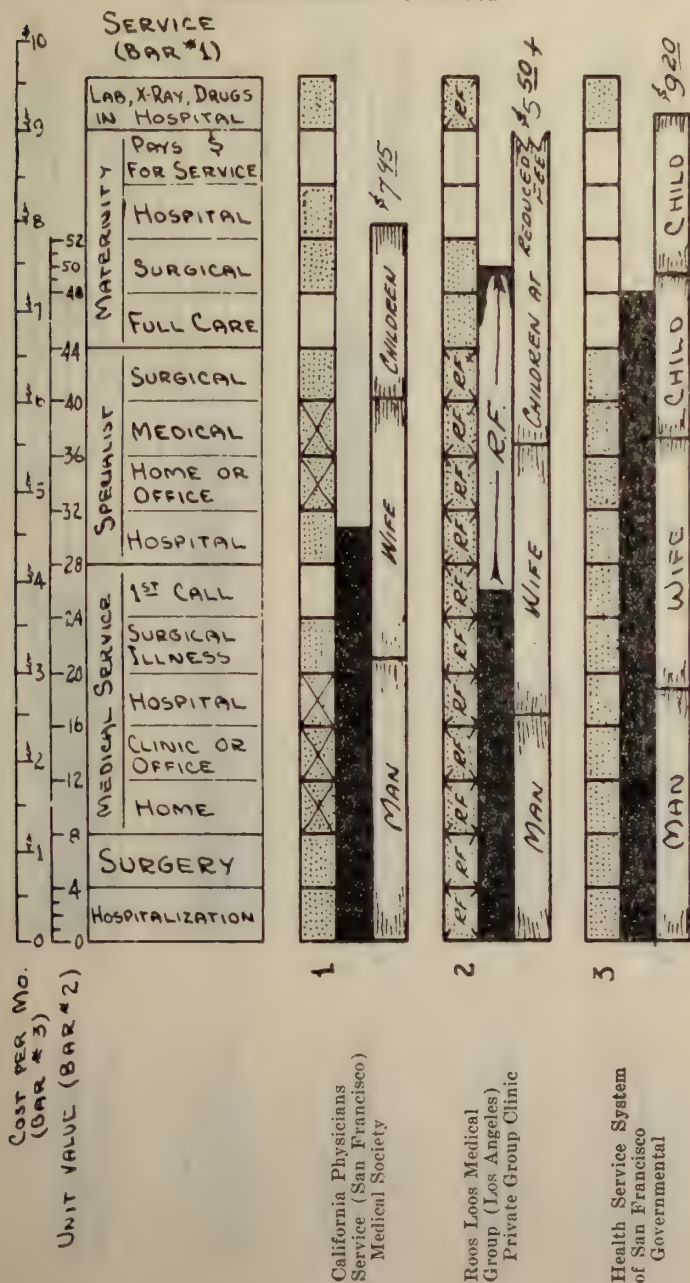
Comparison of Voluntary Prepayment Plans

For comparative purposes, the plans are applied to a family of four persons (husband, wife, and two children). The husband is assumed to earn a family annual income of \$2,450 and to be the employee or subscriber enrolled as a group member receiving maximum benefits for himself and family. Bar No. 1 is a tabulation of the indicated services available to the members of the family. Bar No. 2 is a graphic representation of Bar No. 1. Each service (with the exception of maternity care) is given a maximum value of four units (each member of the family to whom the service is available represents one unit). Bar No. 3 represents the cost per month of maximum benefits for employee and family.

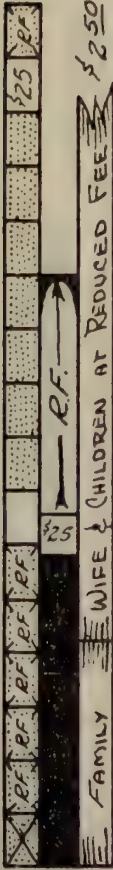

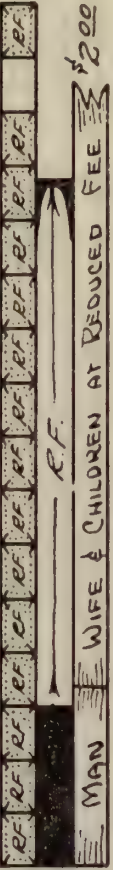


Key

- | | |
|---|---|
|  | First Bar: Service |
|  | Service available to family |
|  | Service available to husband |
|  | Service available to subscribers |
| | Available to dependents at reduced fee |
|  | Service available at fee schedule |
|  | Service available to husband but plan pays 50 percent |
|  | Second Bar: Total service available to family (1 unit per person) |
|  | Service available at additional fee |
|  | Service available at reduced fee |
|  | Third Bar: Cost per month for plan |
|  | At reduced fee the additional cost per month is indeterminate |

PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLANS
OF CALIFORNIA—Continued



PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLANS
OF CALIFORNIA—Continued

9	
10	
11	
12	
13	

Valley Health Foundation
(Glendale)
Consumer Sponsored

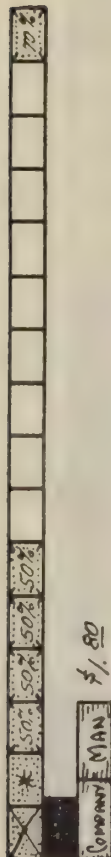

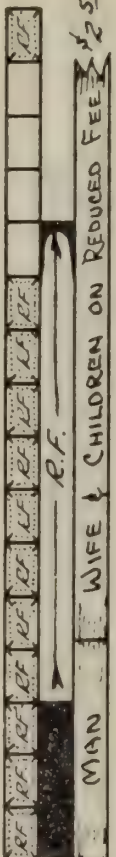

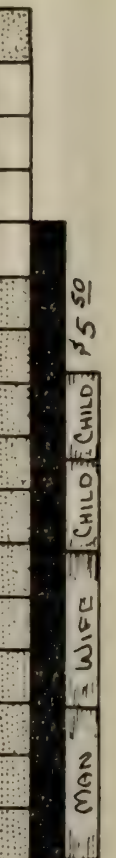
Union Oil Company of
California (Los Angeles)
Industrial

Western Pacific Railroad
Company (San Francisco)
Industrial

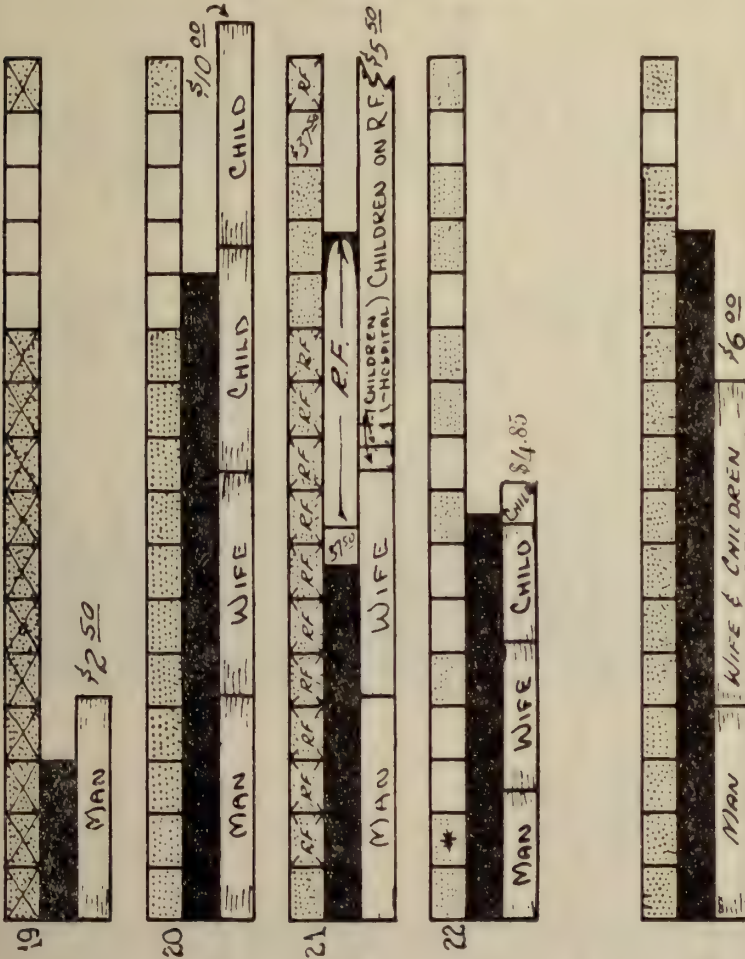
Pacific Electric Railway
Company (Los Angeles)
Industrial

Aircraft Workers Medical
Plan (Santa Monica)
Industrial

PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLANS
OF CALIFORNIA—Continued

14	C. & H. Employees Mutual Benefit Assoc. (San Francisco) Industrial	
15	Columbia Employees Hospitalization Plan (Torrance) Industrial	
16	Santa Fe Coast Lines Hospital Assoc. (Los Angeles) Industrial	
17	Franklin General Benevolent Society (San Francisco) Consumer Sponsored	
18	French Hospital (San Francisco) Consumer Sponsored	

PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLANS
OF CALIFORNIA—Continued



The Metropolitan Water
District of Southern Calif.,
Employees' Medical Fund
Governmental

F. W. Callison, M.D.
Staff (San Francisco)
Private Group Clinic

Complete Service Bureau
(San Diego)
Consumer Sponsored

Intercoast Hospitalization
Insurance Assoc. (Sacramento)
A Blue Cross Organization

Associated Hospital
Service of New York
A Blue Cross Organization

PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLANS OF CALIFORNIA

NAME	TYPE	COST PER MONTH	TYPE OF PLAN
California Physicians Service* (San Francisco)	Medical Society	Male, \$2.25; female, \$2 90 Man and wife, \$5 15 Family, \$7 05 Added benefits \$0 90 (Subscriber only)	State-wide Medical, Surgical and Hospital Plan
— 1 —			
Roos Loos Medical Group of Los Angeles	Private Group Clinic	Group subscriber \$2 50 Dependent Non-group subscriber \$3 00 Dependent—Reduced fee	Group and Non-Group
— 2 —			
Health Service System of San Francisco	Governmental	Adults: Employee \$2 80 Dependent (18-61 years) \$2 80 Dependent (over 61 years) \$3 50 Minors: Minor dependents if all are included, each, \$1.80	Government employee and dependent
— 3 —			
Hospital Service of California (Oakland)*		Male, \$1.10; female \$1 25 Employee and 1 dependent \$2 60 Employee and 2 or more dependents \$3 30	Hospital
— 4 —			
Hospital Service of California (Oakland)*	A Blue Cross Organization	Male, \$1.50; female \$1 85 Employee and 1 dependent \$3 60 Employee and 2 or more dependents \$4 90	Hospital and Surgical
— 5 —			
Southern Permanente Hospital of Fontana, California	Industrial	Male, \$1.70; female \$2 15 Employee and 1 dependent \$4 10 Employee and 2 or more dependents \$5 70	Hospital, Medical and Surgical
— 6 —			
Charge per person— Over 15 years of age \$2 60 Under 16 years of age \$1 30	Industrial		Employee and dependents
— 7 —			
Subscriber \$2 16	Industrial		Employee
Wife of subscriber \$3 25 1st two children, each \$2 18 Over two children, no charge	Industrial		Employee's Family Plan
— 8 —			
Individual subscriber \$3 00 Subscriber and spouse \$4 85 Man, wife and children \$5 65	Non-Industrial		Individual
— 9 —			
Individual subscriber \$2 60 Subscriber and spouse \$4 45 Man, wife and children \$5 25	Non-Industrial		Group

Frank M. Close, M.D. & Staff (San Francisco) — 8 —	Private Group-Clinic	Member, \$2.50 each adult Dependent, \$2.50 Other dependents at reduced fee	Group
Valley Health Foundation (Glendale, Cal.) — 9 —	Consumer sponsored	Member \$3.00 each adult Dependent, \$2.50 Other dependents at reduced fee	Non-Group
Union Oil Co. of California (Los Angeles) — 10 —	Industrial	\$2.50 per family	Group
Western Pacific Railroad Co. (San Francisco) — 11 —	Industrial	\$2.50 per family	Non-Group
Pacific Electric Railway Co. (Los Angeles) — 12 —	Industrial	\$2.00 per month, subject to change according to the needs of the plan.	Group
Aircraft Workers Medical Plan (Santa Monica) — 13 —	Industrial	\$2.00 per month subject to change according to the needs of the plan. Dependents at reduced fee	Group
C. & H. Employee's Mutual Benefit Association (San Francisco) — 14 —	Industrial	\$2.50 per month	Group
Columbia Employees Hospitalization Plan (Torrance, Cal.) — 15 —	Industrial	No charge	Pensioners
Santa Fe Coast Lines Hospital Association (Los Angeles, Cal.) — 16 —	Industrial	\$2.00 per month	Group
Franklin General Benevolent Society — 17 — (San Francisco)	Consumer sponsored	Subscriber..... \$0 80 Company..... 90 Total..... \$1 80	Group
French Hospital (San Francisco) — 18 —	Consumer sponsored	For monthly income of: \$100 or less..... \$1 00 \$100 to \$169..... 1 75 \$200 or more..... 2 50 Pensioner..... 1 00 Dependents at reduced fee	Group
		\$2.50 per month	Group
		(High initial cost ranging from \$25 to \$40 + \$4 for each year over 40 years of age) 15 years of age and over, \$1.75 month Member's child, \$1.00 per month Individual child, \$1.95 per month	Non-Group

**PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLANS
OF CALIFORNIA—Continued**

NAME	TYPE	COST PER MONTH	TYPE OF PLAN
The Metropolitan Water District of Southern California, Employees Medical Fund — 19 — (Los Angeles)	Governmental	\$2.50 per month	Group
F. A. Callison, M.D. and Staff (San Francisco)	Private Group Clinic	Sliding scale based on attained age, \$2.50 to \$4.00 Same rate for dependent	Individual
— 20 —		Member, \$2.50 per month Each dependent, \$2.50 per month	Group
Complete Service Bureau (San Diego, Cal.)	Consumer sponsored	Member, \$2.50 per month Dependent: Reduced fee except for hospitalization, adult, 50c; child, 25c per month	Group or Non-Group
— 21 —		Male, \$0.90; female, \$0.90 Employee and 1 dependent, \$1.80 Man, wife and 1 minor child, \$2.25 Additional children, \$0.45	Hospital
Intercoast Hospitalization Insurance, Assoc. (Sacramento)	A Blue Cross Organization	Male, \$1.25; female, \$1.35 Employee and 1 dependent, \$2.60 Man, wife and 1 minor child, \$3.60 Additional children, \$0.45	Hospital and Surgical
— 22 —		Male, \$1.45; female, \$1.65 Employee and 1 dependent, \$3.10 Man, wife and 1 minor child, \$4.40 Additional children, \$0.45	Hospital, Surgical and Medical

**A PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLAN
IN NEW YORK, N. Y.**

NAME	TYPE	COST PER MONTH		TYPE OF PLAN
Associated Hospital Service of New York	A Blue Cross Organization	Payroll deduction	Individual.....	\$0 80
			Man and wife.....	1 60
			Family.....	2 00
		Group or special application	Individual.....	0 87
			Man and wife.....	1 73
			Family.....	2 20
		Special application (Group of less than 5)	Individual.....	\$1 37
			Man and wife.....	2 98
			Family.....	4 28
		Payroll deduction	Individual.....	\$1 32
			group of Man and wife 50 or more.....	2 72
			Family.....	4 00
		Payroll deduction (Group of 50 or more)	Individual.....	\$2 40
			Family.....	6 00
				Doctors Plan (Hospital, Medical and Surgical)
				Indemnity Plan (Hospital, Surgical)
				Doctors Plan (Hospital, Surgical)
				Doctors Plan (Hospital, Medical and Surgical)

**PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLANS
OF CALIFORNIA—Continued**

NAME	HOSPITALIZATION	SURGICAL SERVICE	MEDICAL SERVICE	SPECIALIST SERVICE	MATERNITY CARE	DRUGS, X-RAY AND LABORATORY SERVICE
California Physicians Service* (San Francisco)	Complete service for 21 days per year for each separate ailment, plus one-half the cost of all listed services for an additional 180 days immediately following the 21 days.	Full service	1 year for any one surgical illness. General practitioner	For surgical illness in hospital	After 10 months \$5 per day for a maximum of 10 days for normal delivery. Comp. Cesarean and ectopic operation	Complete service in hospital
— 1 —		Full service	Office, home, hospital after first two visits	For medical illness	Maternity care after ten months	Complete service (drugs in the hospital)
Ross Loos Medical Group of — 2 — (Los Angeles)	Complete service for a period not to exceed 90 days per year.	Full service	Office, home, hospital	Full service	Maternity care but does not include hospitalization	Complete service
Health Service System of San Francisco	Ward up to 21 days in one year. Minor dependent up to 10 days in one year.	Full service (tonsillectomy for minor dependents excluded)	Office, home and hospital (dependents up to one year for one illness) limited to five calls per month	Full service	A subscriber is entitled to maternity care but this includes no hospitalization. Dependents are not entitled to maternity care	Complete service in hospital
— 3 —					\$5.00 per day for 10 days after 10 months of membership (hospital)	
Hospital Service of California (Oakland)*	Complete service if a bed patient for 21 days per year. For each separate ailment. Plus 1/2 of all listed services for an additional 180 days immediately following.	Fee schedule (\$5 to \$225)		For surgical illness in hospital	Family plan after 10 months (miscarriage and caesarean)	Complete service in hospital
— 4 —			\$3.00 per day when in hospital for a non-surgical illness	For medical or surgical illness in hospital	Family plan after 10 months. \$3.00 per day for normal delivery	
Southern Permanente Hospital of Fontana, California	Complete service up to 60 days for any one illness.	Full service	Up to one year for any one illness (Clinic, hospital)	Full service	Patient pays \$60.00 for maternity care	Complete service in hospital
— 5 —		Full service	Up to one year for any one illness (Clinic home, hospital — First visit \$2.00)	Full service	After 3 months subscriber pays \$90	Complete service in hospital
— 6 —	Complete service up to 111 days for any one illness.				Dependent pays \$60	
Permanente Foundation Hospital of Oakland						

- 7 -	Complete service any one illness; Subscriber, 111 days; Dependent, 30 days.	Full service in hospital Tonsilectomy at reduced fee	Hospital, home and clinic. Home calls: Sub'r: 1st call \$2 Dep.: per call \$2 Clinic calls: Dep.: per call \$1	Complete service. Dependent pays \$1 per office call	Full service after 10 months. Charges: Sub'r: \$60 Dep.: \$95	Complete service in hospital
Frank M. Close, M.D. and Staff - 8 - (San Francisco)	Ward up to 90 days for any one illness. No hospitalization for members over 60	Full service	Office, clinic, home hospital	Full service	None	Complete service
Valley Health Foundation (Glendale, Calif.)	Member receives \$5.00 per day for 14 days in any one year. Dependents pay all hospital bills	Full service. Dependents pay \$15 or \$25 additional charge	Office, home and hospital. Dependents pay additional charge	Full service	After 10 months pre- post-delivery and caesarian (add \$25)	Complete service; reduced fee to dependents
- 9 -	Member pays all hospital bills.	Member receives the surgeon's services	Office, home and hospital charges of \$1 for home and hospital calls	Full service	Pre- post- delivery care and surgical care (add \$25)	Laboratory service only
Union Oil Co. of California (Los Angeles)	Ward: length of stay at discretion of physician	Pays	up to \$500 for any one illness	Full service	None	Complete service
Western Pacific Railroad Co. (San Francisco)	Ward or private room at discretion of physician. Up to one year for any one illness.	Full service	Office, clinic, home, hospital	Full service	Patient pays reduced fee	Complete service
- 11 -	Ward up to 4 months in contract year.	Full service	Office, clinic, home, hospital	Full service	None	Complete service
Pacific Electric Railway Co. (Los Angeles)	None	Treatment in the office	Treatment in the office	Treatment in the office	None	
Aircraft Workers Medical Plan (Santa Monica)	Ward or private room at discretion of physician up to 21 days in a 12 month period.	Full service	Clinic, home, hospital	Full service	None	Complete service
C. and H. Employee's Mutual Benefit Association (San Francisco)	Hospital benefits up to \$300 plus 70% of operating room expense up to \$70 per any one disability.	Fee schedule up to \$140 per disability	50% of physician's fees after first 2 visits up to \$100 per disability	Full service	None	70% of diagnostic expense up to \$70 per any one disability
- 14 -	Ward up to 90 days a year.	Fee schedule to \$145 (female surgery after 6 months membership)	Office, home and hospital, patient pays for 1st two visits unless off work for two days	Full service	Delivery and surgical care. (Fee schedule)	Complete service
Columbia Employees Hospitalization Plan (Torrance, Calif.)						
- 15 -						

**PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLANS
OF CALIFORNIA—Continued**

NAME	HOSPITALIZATION	SURGICAL SERVICE	MEDICAL SERVICE	SPECIALIST SERVICE	MATERNITY CARE	DRUGS, X-RAY AND LABORATORY SERVICE
Santa Fe Coast Lines Hospital Association (Los Angeles, Calif.) — 16 —	Up to 4 months in any one illness. Up to 1 year but not to exceed length of employment for T.B. of the lung. Ward or private at discretion of physician.	Full service	Office, home, clinic, hospital	Full service	None	Complete service
Franklin General Benevolent Society (San Francisco) — 17 —	Ward or private room at discretion of the physician. Up to 3 months in any 1 year.	Full service	Office, home, hospital	Full service	None	Complete service
French Hospital (San Francisco) — 18 —	Ward up to 6 months in any one year.	Full service	Office, home, clinic, hospital	Full service	None	Complete service
The Metropolitan Water District of Southern California, Employees' Medical Fund (Los Angeles) — 19 —	Ward or private room at discretion of the physician. Up to 6 months or up to \$1,800 for all medical and hospital care in any one illness.	Full service	Office, home, hospital	Full service	None	Complete service
F. W. Callison, M.D. and Staff (San Francisco) — 20 —	Unlimited service. No time limit (member over 60 years limited to 21 days per illness). Limited to 6 months in any one illness.	Full service	Office, home, hospital	Complete service	None	Complete service
Complete Service Bureau (San Diego, Calif.) — 21 —	\$7.00 per day up to 30 days in any one illness. Limited to 10 days for maternity care.	Full service (patient pays reduced fee during first year)	Office, home, clinic and hospital, \$2 eight calls at home and limited to 10 mi. of clinic	Full service	Complete service (patient pays \$37.00)	Complete service
Intercoast Hospitalization Insurance Assoc. (Sacramento) — 22 —	Complete service up to \$5 per day for 21 days per year for each separate illness. Seven days additional after 24 months of enrollment and 7 days additional for each 12 months thereafter up to 49 days	Fee schedule (up to \$150)	In the hospital only	In the hospital only	10 days hospitalization only After 10 mos. (man and wife) normal delivery, Caesarian and Ectopic pregnancy	Complete service

**A PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLAN
IN NEW YORK, N. Y.—Continued**

NAME	HOSPITALIZATION	SURGICAL SERVICE	MEDICAL SERVICE	SPECIALIST SERVICE	MATERNITY CARE	DRUGS, X-RAY AND LABORATORY SERVICE
Associated Hospital Service of New York	Complete service in semi-private accommodations for 21 days per year for each separate ail- ment. Plus 50% of all listed service for an additional 180 days immediately following.				Hospitalization up to 10 days at \$6 per day after 10 months' mem- bership of family	
		Service in the hos- pital only. Fee sched- ule (to \$150)				Full service
			Office, hospital, and home at fee schedule (Additional charge may be made for night calls)	Fee schedule Full service	Fee schedule, full service for conditions arising out of and dur- ing pregnancy after 10 months of membership	

PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLANS
OF CALIFORNIA—Continued

NAME	ELIGIBILITY	PHYSICAL EXAMINA- TION REQUIRED	ENROLLMENT			PERSONNEL	AREA
			SUB- SCRIBERS	DEPEND- ENT	DEPEND- ENT ON REMOVED FEE	TOTAL	
California Physicians Service (San Francisco)	Physician may make extra charge if family income is over \$3,000 a year. Dependents eligible 30 days to 19 years.	No	135,176	98,228	.....	233,404	California
Rose Loos Medical Group of Los Angeles	Group: No restriction. Dependents—reduced fee of \$1.00. Non-group: 21 to 80 years of age. Dependents at reduced fee.	Yes	29,912	.....	79,000	108,912	Physicians and surgeons, 94; registered nurses, 118
Health Service System of San Francisco	Compulsory for employees. Dependents under one year excluded.	Employee, No Dependent, Yes	12,077	4,572	.....	16,649	Professional staff, 1,167
Hospital Service of California (Oakland)*	Employed persons and their families. (Minors, 30 days—19 yrs.) Group enrollment.	No No No	74,716 98,815 11,845	.....	.....	185,576	Any licensed doctor of medicine
Southern Permanente Hospital of Fontana, California	Employees and their dependents.	No	2,200	4,400	.....	6,600	Physicians: Full-time, 7; part, time, 2; registered nurses, 26
Permanente Foundation Hospital of Oakland	Employees and former employees including dependents	No (over 60 yrs)	700	.....	.....	700	Physicians: Full time 33 Part time 4 Resident 14 Interns 13
	Individuals and their family	Yes	10,433	17,705	.....	28,138	Registered nurse 85
							Fontana, California
							Oakland, Berkeley, Richmond and Vallejo

Frank M. Case, M.D. and Staff (San Francisco)	Minimum group of 20	Yes	1,700	-----	2,250	3,950	Physicians: Full time..... 6 Part time..... 4 Specialists..... 7 Part time..... 4 Registered nurses..... 4	San Francisco Bay Area
-- 8 --	No restrictions		200	-----	-----	450		
Valley Health Foundation (Glendale, Cal.)	No restrictions	No	1,800	2,200	-----	4,000	41 part time physicians, surgeons and specialists	Los Angeles County
Union Oil Co of California (Los Angeles)	3 months full employment. Age: Male under 40½ years Female under 44½ years at time of employment.	Yes	6,432	None	-----	6,432	Medical director and physicians in community served. 3 resident doctors.	State of California
-- 10 --	For employees. No restrictions.	Yes	4,000	-----	Yes	4,000	Medical director; 41 part time physicians; 8 registered nurses	State of California
Western Pacific Railroad Co. (San Francisco)	For employees. No restrictions.	Yes	7,623	None	-----	7,623	Physicians: Full time..... 4 Part time..... 72 Registered nurses..... 3	Los Angeles, Cal.
-- 11 --	For employees. No restrictions.	Yes	593	-----	-----	593		
Pacific Electric Railway Co. (Los Angeles)	For employees. No restrictions.	Yes	8,000	None	-----	8,000	Physicians: Full time..... 3 Part time..... 6 Registered nurses..... 4 Technicians..... 2	Santa Monica, Cal.
-- 12 --	For employees. No restrictions.	Yes	1,363	None	-----	1,363	No medical staff—free choice of doctor and hospital	Crockett and San Francisco, Cal.
Aircraft Workers Medical Plan (Santa Monica)	For employees. No restrictions.	Yes	820	None	-----	820	Physicians in community served.	Torrance, Cal.
-- 13 --	For employees after six-month employment. Executive officers are not eligible.	Yes	22,936	-----	22,936	45,872	Attending staff..... 26 Consulting staff..... 34 Part time doctors..... 106 Resident doctors..... 3 Interns..... 8 Registered nurses..... 53	State of California
C. and H. Employee's Mutual Benefit Association (San Francisco)	For employees. No restrictions.	Yes	1,912	None	-----	1,912	Part time physician..... 54 Interns..... 2 Registered nurses..... 93	San Francisco, Cal.
-- 14 --	For employees. No restrictions.	Yes	-----	-----	-----	-----		
Columbia Employees Hospitalization Plan (Torrance, Cal.)	For employees. No restrictions.	No	-----	-----	-----	-----		
Santa Fe Coast Lines Hospital Association (Los Angeles)	For employees. No restrictions.	Yes	-----	-----	-----	-----		
-- 16 --	(Membership closed 1936) Under 18 years of age, males over 50 years, or females over 40 years of age excluded.	Yes	-----	-----	-----	-----		
Franklin General Benevolent Society (San Francisco)		Yes	-----	-----	-----	-----		
-- 17 --		Yes	-----	-----	-----	-----		

**PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLANS
OF CALIFORNIA—Continued**

NAME	ELIGIBILITY	PHYSICAL EXAMINA- TION REQUIRED	ENROLLMENT				PERSONNEL	AREA
			SUB- SCRIBERS	DEPEND- ENT	DEPEND- ENT ON REDUCED FEE	TOTAL		
French Hospital (San Francisco)	For people of French birth or descent or French-speaking. Persons over 50 years of age excluded.	Yes	10,006			10,006	Part time physicians..... 39 Interns..... 8 Registered nurses..... 54	San Francisco, Cal.
The Metropolitan Water District of South- ern California, Employees' Medical Fund — 19 — (Los Angeles)	For employees No restrictions	Yes	153			153	Physicians in community served	Los Angeles, Orange and San Bernardino, Cal.
F. W. Callison, M.D. and Staff (San Francisco)	Age 1 to 55 years. Group of 25 or more	Yes	20,000	2,000		22,000	Physicians: Full time..... 10 Part time..... 54 Registered nurses..... 10	San Francisco Bay Area, Cal.
Complete Service Bureau (San Diego, Cal.)	Over 60 years of age eligible for services at reduced fee and hospitalization in accident cases only.	No	2,000		4,000	6,000	Arrangement with clinic having 5 full-time physicians and 5 regis- tered nurses	San Diego County, Cal.
Intercoast Hospitalization Insurance, Assoc. (Sacramento)	Group enrollment of employed persons and their families.	No	24,950 16,200	16,000 10,900		40,950 27,100	Physicians in communities served	Northern California (excluding San Francisco Bay Area)

* Note: Rates as shown include rate increases as of October, 1946.

**A PREPAID HOSPITAL, SURGICAL, AND MEDICAL PLAN
IN NEW YORK, N. Y.—Continued**

NAME	ELIGIBILITY	PHYSICAL EXAMINATION REQUIRED	ENROLLMENT				PERSONNEL	AREA
			SUB-SCRIBERS	DEPEND-ENT	DEPEND-ENT ON REDUCED FEE	TOTAL		
Associated Hospital Service of New York	<p>Group Enrollment Persons 50 days to 65 years eligible for membership groups (Payroll deduction groups of over 50 where 75% are members. No age limit or waiting period)</p> <p>Income Restrictions A single person whose an- nual income does not exceed \$1,800 or a married person whose family annual income does not exceed \$2,500 receives full benefit at the fee schedule. Larger incomes pay difference between charge and fee sched- ule.</p>	*No					Physicians in community served	Greater New York and Vicinity, New York
					2,220,523			

SECTION VIII

**AN ANALYSIS OF POSSIBLE COSTS UNDER
RECENT PROPOSALS****INTRODUCTORY STATEMENT**

Health insurance by law has been defined as—"organized self-help financed by money that the self-supporting people are asked to save for the purpose of paying for their own care. What is changed by such legislation is the method of raising funds for the support of professional and institutional services. Instead of paying if and when service is received and in proportion to the amount of service rendered, people are required to pay in advance small average amounts, in return for which they are entitled to any or all of the services available under the program. What is not changed by such legislation is the institution of private practice of medicine, dentistry and related professions, of voluntary hospitals and health agencies. Being, as it is, a method of organizing payment for medical care, compulsory health insurance is neither a cure-all for social evils nor the gateway to the millennium."

**POSSIBLE COST OF STATE MEDICAL CARE INSURANCE
IN CALIFORNIA**

In view of the renewed interest in various proposals for a state-operated plan of prepaid medical insurance in California, the committee had the staff make a tentative analysis of what medical benefits might be offered—at what cost—in 1947, based on the latest cost and statistical data available. The analysis is subject, of course, to correction and revision. Excerpts from the analysis, highlighting the important problem of the costs of state medical care insurance in California, are set forth in this report as the latest information available to the committee at the time of filing its report.

1. The Problem

Any proposal for a complete or partial system of public health insurance must specify:

- (a) The medical care benefits to be provided: kind, extent, duration, etc.
- (b) The classes of people to be eligible to participate in the benefits—workers, industries, self-employed, dependents of participants, etc.
- (c) Proposed method of financing: contribution rates; who pays them; who meets the administrative expense; the methods of payment for medical services (to hospitals, doctors, etc.).

To arrive at the probable costs of such a public health insurance system for California, it would be necessary to supplement the above data with estimates as to (1) the potential number of eligible workers and beneficiaries in the state at the time the plan is to go into effect; (2) the taxable payrolls in normal and abnormal times, especially those likely to be the case during the first few years of the system; (3) the revenue likely to accrue from various rates proposed to be levied on

employers, employees, and self-employed to be included in the system; (4) the probable costs, under various methods of paying them, of the medical benefits to be offered; and (5) the extent to which the proposed methods of financing would meet the possible costs of the proposed benefits.

2. Proposals For

a. Limited Medical Benefits and Restricted Beneficiaries

We may assume that complete public medical care insurance for all the people of California is not feasible at the present time, and that any "practical" proposal would be for a system of medical care benefits considerably short of providing all needed medical care and including as its beneficiaries—at least to start with—considerably less than the State's total working population and their dependents. In short, *something along the lines* of the proposals for government health insurance made by the "Governor's Committee for Health Insurance" in 1939, and by Governor Warren (A. B. 800) and (2) by the C. I. O. (A. B. 449), in the state legislative sessions of 1945.

The latter two bills differed very little outside of the fact that the Warren Bill (A. B. 800) implied that doctors would be paid on a fee-for-service basis, taxed up to 4,000 per person per year, and included dependents up to the age of 18, while the C. I. O. Bill (A. B. 449) specifically provided for paying doctors on a per patient ("capitation") basis, taxed salaries up to \$5,000, and included dependents up to the age of 21.¹

Both bills provided for practically the same basic services and benefits, namely, *basic benefits*: Doctors' services, consultant and specialist services on doctor's advice, laboratory and laboratory supplies, X-ray (both diagnostic and therapeutic), dental extractions and treatment of acute dental infections or disease, hospitalization (21 days per illness under A. B. 800, 30 days under A. B. 449), hospital general nursing, and hospital medicines and supplies; and such *other benefits* as the health insurance administration might find it feasible to add later.

Assuming that similar benefits and limitations will be included in any other responsible proposals for government medical care insurance that may be made in California in the near future, and that their average costs per beneficiary will not differ materially in the next few years from what they are at present for similar benefits under competing medical care prepayment plans, we may compute an estimate of their total costs per year per beneficiary as follows:

3. Probable Costs of Medical Care Insurance in California in 1947

a. Assumed Per Capita Costs

On the basis of authoritative cost studies made in the past and on the basis of the costs of private prepayment medical care in 1945-1946 in California and in the United States, it is probably safe to assume that a limited, restricted, state medical care insurance system for California, of the type proposed in 1945 by Governor Warren (A. B. 800) and by the C. I. O. (A. B. 449) would probably cost in 1947 *not more than* \$30 per beneficiary, if general practitioners were paid on a basis of so much

¹ The Warren Bill also differed from the C. I. O. Bill in requiring administrative costs to be met out of health insurance revenues instead of by public appropriations, and in including public employees (state and local) among those to be covered by the Health Insurance System. A. B. 800 provided for "preventive biologics" outside the hospital.

per beneficiary selecting them, respectively, i.e., on the per capita or capitation basis; and not more than \$40 per beneficiary, if paid for on a fee-for-service basis at current individual fee-for-service rates. If the fee-for-service method of payment is retained but the medical organizations agree to some large scale or wholesale system of charges calculated to provide a sufficiently satisfactory income to those general practitioners who devote all or most of their time to their patients in the Health Insurance System, the costs should not exceed \$35 per beneficiary. Other possible economies may be effected through the development and use of state laboratories and clinics, and wholesale or state sources of supplies of drugs, appliances, etc. For the present, however, the following cost calculations will be based on the three sets of figures: \$30, \$35, and \$40 per beneficiary—exclusive of the costs of administration.

b. "Covered" Workers and Beneficiaries

With that as a starting point we may compute the amount of the funds per annum needed to finance such medical care within the next few years, and the tax or contribution rates required to provide those funds, by determining, first, the number of "covered" workers likely to be included in the health insurance system, and, second, the total number of beneficiaries that such workers are likely to bring into the system to share its benefits.

(1) *Eligible workers.* Under both the bills discussed above, the benefits were to be made available to workers in the same types of employment as under the Unemployment Compensation Act *—additional people were to be made eligible as soon as feasible. This meant that government employees, agricultural workers, domestic workers, employees of philanthropic organizations, railroad workers, the self-employed, and the permanent unemployed, were excluded from the proposed health insurance benefits.

(2) *Beneficiaries.* To be eligible for benefits, under the State Unemployment Compensation Law—and under the proposed public health insurance systems—a "covered" worker must have earned at least \$300 per year. Under the health insurance bills, however, there were also included his or her spouse and dependent children, defined (as indicated above) in one bill as "under 18" and in another as "under 21."

How many such eligibles or potential beneficiaries are there likely to be in the State, in 1947?

* The Warren Bill, however, added employees of state and local political subdivisions, at present excluded from the unemployment compensation coverages.

The State Unemployment Compensation Act was amended at that legislative session to cover (within the eligible employments) any "employer of one or more" (previously four or more). This, of course, would apply likewise to the proposed health insurance systems.

Following are the available figures and estimates on this question:

Computation of Number of Beneficiaries and Percentage of Various Population Elements Included Under Health Insurance Proposals for California

Note: These computations are tentative and subject to recheck and correction.

	1940	1944	1947
The General Population			
1. Total resident civilian population ¹ -----	6.8 m.	7.9 m.	9.3 m.
2. Total families ¹ -----	2.2 m.	2.7 m.	3.0 m.
3. Average number of persons per family ¹ -----	3.2	3.1	3.1
4. Population under 18 years of age ¹ -----	1.7 m.	2.0 m.	2.4 m.
5. Percent of civilian population-----	24.3%	25.5%	26.0%
The Labor Force			
6. Number eligible for work ² -----	2.0 m.	3.5 m.	3.8 m.
7. Percent of civilian population-----	42.6%	44.3%	41.3%
8. Dependents of persons in labor force (wives, and children under 18) ¹ -----	2.7 m.	2.9 m.	(?)
9. Ratio of wage earners to families ³ -----	1.2	1.4	1.1
The Workers			
10. Gainfully employed ^{4, 5} -----	2.5 m.	3.5 m.	3.2 m.
11. Percent of civilian population-----	36%	44%	35%
12. Not gainfully employed ⁴ -----	4.4 m.	4.4 m.	5.9 m.
13. Percent of civilian population-----	64%	56%	65%
14. Ratio to number of gainfully employed-----	1.8	1.3	1.9
Average number of dependents per employed worker:			
15. Spouse, and children aged under 18-----	1.24	.91	1.30
16. Spouse, and children aged under 21-----	1.33	.97	1.40
"Covered Employment"			
17. Workers employed in "covered" employments ^{4, 7} -----	1.4 m.	2.2 m.	1.8 m.
18. Percent of total number gainfully employed-----	56.0%	62.9%	55.0%
19. Percent of labor force-----	48.3%	62.9%	47.6%
20. Percent of civilian population-----	20.2%	28.0%	20.0%
Eligible for Unemployment Compensation Benefits			
21. Workers eligible for U. C. benefits ^{4, 8} -----	1.7 m.	2.6 m.	2.1 m.
Dependents of eligible workers ⁹			
22. Spouse, and children under 18-----	2.1 m.	2.4 m.	2.7 m.
23. Spouse, and children under 21-----	2.3 m.	2.6 m.	2.9 m.
Total Beneficiaries Under H. I. Based on U. C. Eligibility			
24. Workers, spouses, and children under 18-----	3.8 m.	5.0 m.	4.8 m.
25. Workers, spouses, and children under 21-----	4.0 m.	5.2 m.	5.0 m.
Ratio of beneficiaries to eligible workers:			
26. Children under 18-----	2.23	1.92	2.28
27. Children under 21-----	2.35	2.0	2.38
Ratio of beneficiaries to total gainfully employed:			
28. Children under 18-----	1.52	1.43	1.50
29. Children under 21-----	1.60	1.49	1.56
Ratio of beneficiaries to total labor force:			
30. Children under 18-----	1.31	1.43	1.26
31. Children under 21-----	1.38	1.49	1.32
Ratio of beneficiaries to number of families:			
32. Children under 18-----	1.73	1.85	1.60
33. Children under 21-----	1.82	1.93	1.67
Percent of total civilian population:			
34. Children under 18-----	56%	63%	52%
35. Children under 21-----	59%	66%	54%

¹ Based on data from United States Census Reports; California Taxpayers' Association; State Reconstruction and Reemployment Commission.

² Aged 14 years or over, and eligible for gainful employment. Based on United States Census Reports and State Reconstruction and Reemployment Commission data.

³ Computed on basis of number in labor force and the average number of persons per family in 1940 (3.2); hence is not exactly the same as the average number of actual wage earners per family, though may be used as a rough equivalent.

⁴ Based on estimates by State Reconstruction and Reemployment Commission. "Maximum Estimates of Population Growth in California, 1940-1950," made in June, 1944, and by California Department of Industrial Relations, Division of Labor Research and Statistics (see l. e.—p. 1, 11); computed by Paul A. Dodd, op. cit., pp. 14, 15, 19, for 1940 and 1944.

⁵ The "gainfully employed" include: Wage and salaried workers, employers, self-employed, and unpaid family workers.

⁶ Based on United States Census for 1940, with adjustments for 1944 and 1947 by Paul A. Dodd, op. cit., pp. 17, 18.

⁷ Average monthly number of workers in occupations "covered" by the California Unemployment Compensation Act. The average number of people actually at work in "covered" employment is, of course, smaller than the number with sufficient wage credits (\$300 per year) to be "eligible" to benefits (whether currently employed or not, and still smaller than the number of people, whether or not at work, who have taxable earnings ("wage credits")) of any amount, whether or not sufficient to entitle them to benefits.

⁸ Figures for 1940 and 1944 computed by Paul A. Dodd, Actuarial Estimates (1945), op. cit., p. 14, on assumption that at any given time there are "approximately 20 percent more persons with wage credits in excess of \$300 (and hence eligible to unemployment benefits) than are actually employed at the time (in covered employment)" similar assumption used for 1947.

⁹ Computed by applying the average number of dependents to employed worker (No. 15, No. 16) to number of workers eligible for Unemployment Compensation benefits (No. 21).

b. Revenues Required to Finance the Proposed Benefits

It was noted previously that the per capita costs (other than administrative expenses) of a limited, restricted, system of insured medical care benefits in California should amount to not more than \$30 per years in 1947, if paid for on a "per capita" basis. Under such a system, the total amount required to finance those benefits will, of course, equal the number of eligible beneficiaries multiplied by \$30.

Under the Warren Bill, those eligible to benefits were practically the same as the workers under unemployment compensation coverage, plus their dependents up to 18 years of age. The total of such beneficiaries in 1947 is estimated to be 4.8 million. Hence the funds needed under that bill are 4.8 million times \$30 or \$144,000,000. Under the C. I. O. Bill, the coverage was practically the same¹ except that it included dependents up to 21 years of age. The amount thereunder would be 5.0 million multiplied by \$30, or \$150,000,000.

If the method of paying general practitioners is to be on a wholesale fee-for-service basis, and the per capita costs are \$35, the total costs under the two plans will be, respectively, \$168,000,000 and \$175,000,000. If the general practitioners are paid at current individual fee-for-service rates, the amounts will be, respectively, \$192,000,000 and \$200,000,000.

The California Department of Finance estimates that the cost of administering such a system of health insurance is likely not to exceed 6 percent of the annual income of the insurance system². Ordinarily, one would expect that the costs of administration would be contributed by the State. Following are the estimated costs of such a limited health insurance system, figured, first on the assumption that the State will meet the administrative expenses and, secondly, on the assumption that not only will the 6 percent administrative expense have to be met out of contributions (or taxes), but that an additional 4 percent will be set aside as "Reserve."

Where the State pays the cost of administration, and no special reserves (other than a small revolving fund) are set up:

Under A.B. 800 (dependents up to 18 years of age):	
On per capita method of paying general practitioners.....	\$144,000,000
At wholesale fee-for-service rates.....	168,000,000
At current, individual, fee-for-service rates.....	192,000,000
Under A.B. 449 (dependents up to 21 years of age):	
On per capita method of paying general practitioners.....	150,000,000
At wholesale fee-for-service methods.....	175,000,000
At current, individual, fee-for-service rates.....	200,000,000

Where costs of administration (6%) are paid out of contributions and an additional 4% is set aside for "reserves":

Under A.B. 800 (dependents up to 18 years of age):	
On per capita method of paying general practitioners.....	\$158,000,000
At wholesale fee-for-service rates.....	185,000,000
At current, individual, fee-for-service rates.....	211,000,000

¹ Both bills provided that additional people might join on a voluntary basis. The additional people automatically made eligible and any that might come voluntarily, however, will not affect the above computations seriously, as they will bring roughly the same proportion of dependents and they will entail costs of about the same amount per capita under the various methods of meeting costs, and their contributions will, presumably, be the same as for all others in the system. Hence they need not be taken into account in this analysis of the funds needed to meet the benefits. The gross costs and the gross taxes will, of course, be larger but they will be larger by approximately the same amount.

² Special Report (1945) by the Division of Administration of the California State Department of Finance, James S. Dean, Director, regarding estimated cost of administering a health insurance system in California. See "Senate Committee's Study Materials," Chapter XVIII.

Under A.B. 449 (dependents up to 21 years of age) :

On per capita method of paying general practitioners	165,000,000
At wholesale fee-for-service methods	193,000,000
At current, individual, fee-for-service rates	220,000,000

c. Taxes Required to Produce the Needed Revenues

If we use the previous estimates of the number of covered workers and eligible beneficiaries in 1947, we may formulate an estimate of the amount of revenue that would come into the Health Insurance Fund and the amount it would provide per beneficiary, in 1947, under various tax proposals, by utilizing the following computations:

Estimated Number and Percent of Workers with Specified Earnings in "Covered" Employment (U. C.), in 1940-44¹

	1940		1944	
	Number	Percent	Number	Percent
Less than \$300	.7 m.	31.6	1.3 m.	32.0
\$ 300-\$2,999	1.4	65.5	2.1	61.7
3,000- 3,999	.02	.9	.19	4.8
4,000- 4,999	.02	.9	.19	4.8
5,000 and over	.03	1.1	.27	6.7
Total	2.2 m.	100.0	4.1 m.	100.0

Total and Per Capita Income and Wages

	1940	1944	1947
Total income to civilians ²	\$5,600,000,000	\$12,300,000,000	\$12,000,000,000 ³
Per capita civilian income ² (after taxes)	810	1,405	937
Total salaries and wages ²	3,400,000,000	8,400,000,000	7,700,000,000
Wages per gainfully employed person	1,360	2,400	2,410

Taxable Wages Under Various Health Insurance Proposals and Conditions, 1940, 1944, 1947

	1940 Conditions	1944 Conditions	1947 Conditions
Under U. C. (\$300 to \$3,000) ³	\$2,000,000,000	\$5,400,000,000	\$4,600,000,000
Percent of total salary and wages	59.8%	64.7%	60.0%
Percent of total wages paid in covered occupations	90.5%	85.5%	90.0%
Under Governor Warren's Bill ⁴ (\$300 to \$4,000)	2,100,000,000	5,700,000,000	4,760,000,000
Percent of total salary and wages	61.8%	67.8%	61.8%
Under C.I.O. Bill ⁵ (\$300 to \$5,000)	2,200,000,000	5,900,000,000	5,000,000,000
Percent of total salary and wages	64.7%	70.2%	64.7%

Note: The Above Estimates Are Subject to Recheck and Correction

¹ Based on "Table I, Workers With Earnings in Insured Employment in 1940-1944" (1 percent sample), by California Department of Employment (October 4, 1946), and on California Employment Stabilization Committee, "Report of Activities, January, 1945."

² Based on United States Department of Commerce Reports on "Income Payments, by States"; postwar employment and income studies by California State Reconstruction and Reemployment Commission. Dodd, op. cit. (1941), p. 7, and in Ch. I. D. 2, of the Senate Committee's Study Materials.

³ California Department of Employment, Memorandum, February, 1945; the estimates for 1947 are based on the assumption that approximately the same relationship between taxable and total wages will hold in 1947 as in 1940.

⁴ Estimates for 1940 and 1944 computed by Dodd, op. cit., p. 36; estimates for 1947, based on the assumption that approximately the same relationship between Dodd's estimate for 1940 and total wages in 1940 will be the case in 1947.

⁵ California State Chamber of Commerce estimate. See Ch. I. D. 3 of the Senate Committee's Study Materials.

With the above data in hand, there are several ways of computing the amount of revenue that any specified tax may produce from the estimated taxable wages under various proposals for 1947: (1) By taking Professor Dodd's carefully worked up estimates of the "Size of Health Insurance Fund" under varying conditions and years¹, and adapting them for the desired conditions and years by using the same ratios between related known and unknown items; (2) by computing the percentage that the actual income from U.C. payments in 1940 (when reduced from the basis of an average tax of 3.7 percent to that of a 3.0 percent tax) is to the taxable wages reported that year, and applying that percentage to the 1947 taxable wages to determine the proceeds of a 3

¹ Dodd, op. cit. (1945), p. 12, 36.

percent tax under corresponding conditions that year, and figuring from that the proceeds of a 3½ percent tax, a 4 percent tax, etc.; (3) by the relatively simple procedure of applying the proposed tax rates to the estimated taxable wages under the various conditions proposed. A trial run of the figures shows that all three sets of computations produce approximately the same results. The simplified form will therefore be used here.

Simplified Computation ² of Revenue From Various Tax Rates on Specified Taxable Wages in California,					
Taxable wages	1940, 1944, 1947				
	3% tax	3½% tax	4% tax	4½% tax	5% tax
(A) On basis of 1940 Employment Conditions. Wages and Taxable Wages					
\$300 ³ -\$3,000	\$ 60.0 million	\$ 70.0 million	\$ 80.0 million	\$ 90.0 million	\$100.0 million
\$300 ³ - 4,000	63.0	73.5	84.0	94.5	105.0
\$300 ³ - 5,000	66.0	77.0	88.0	99.0	110.0
(B) On basis of 1944 Employment Conditions. Wages and Taxable Wages					
\$300 ³ -\$3,000	\$162.0	\$189.0	\$216.0	\$243.0	\$270.0
\$300 ³ - 4,000	171.0	199.5	228.0	256.5	285.0
\$300 ³ - 5,000	177.0	206.5	236.0	265.5	295.0
(C) On basis of anticipated 1947 Employment. Wages and Taxable Wages					
\$300 ³ -\$3,000	\$138.0	\$161.0	\$184.0	\$207.0	\$230.0
\$300 ³ - 4,000	142.8	165.6	189.4	213.2	237.0
\$300 ³ - 5,000	150.0	175.0	200.0	225.0	250.0

² Computed by multiplying the total taxable wages for any one period and set of conditions by the specified tax rate.

³ This \$300 lower limit is used in accordance with the present California Unemployment Compensation and Unemployment Disability Compensation Acts, which exempt workers earning under \$300 in any one year from the benefits and the taxes of those laws.

d. What Taxes Will Finance Which Health Insurance Plans?

From the above income and expense estimates, it is obvious that, whether or not the State pays the administrative expenses, a 3 percent tax on earnings up to \$4,000 will not be adequate in 1947 to finance the limited medical care benefits for the restricted beneficiaries either of the Warren Bill (dependents up to 18 years of age) or of the C. I. O. Bill (dependents up to 21 years of age), whether payments to general medical practitioners are made on a per capita, a wholesale, or a fee-for-service basis. It might be adequate for the benefits under either bill (i.e. whether dependents are limited to those aged under 78 or to those aged under 21) if the State pays the administrative expenses, if the tax is made applicable to earnings up to \$5,000, and if physicians are paid on a per capita basis.

A 3.5 percent tax would be adequate under either bill, if the State paid the costs of administration, and provided medical practitioners were paid on a capitation basis. If the State paid the costs of administration, and the tax limit were made \$5,000, it would be adequate to meet the costs on a "wholesale" fee basis. If the State did not pay the costs of administration, it would be adequate on a \$3,000 income basis only if limited to dependents under 15 years of age and using the capitation method; on a \$4,000 or \$5,000 income base, it would permit benefits to dependents up to the age of 21. It would not be adequate to pay doctors on a fee-for-service basis, under any conditions.

A 4 percent tax, if limited to incomes up to \$3,000, would not be adequate to pay doctors on a fee-for-service whether or not the State met the costs of administration. It would be adequate to pay doctors under either bill on a wholesale fee basis, if the State paid the costs of administration. If applied to incomes up to \$4,000, it could meet costs based on wholesale fees under all the varying conditions except under the combination of dependents up to 21 and administrative expenses not met by

the State. If levied on incomes up to \$5,000, and if the State pays the costs of administration, it would be adequate to meet fee-for-service costs under either bill. It would be more than adequate on a capitation basis, even on taxable limit of \$3,000 and whether or not the State meets the costs of administration.

A 4.5 percent tax, if levied on incomes up to \$5,000, would be adequate under any of the conditions specified above—with or without state payment of administrative expense. If limited to incomes up to \$3,000, a 4.5 percent tax would not be sufficient to pay doctors on a fee-for-service basis, unless the State met the administrative expenses. If limited to incomes of \$4,000, it could not meet fee-for-service costs under the combined circumstances of dependent children being eligible to the age of 21, and the State not paying administrative costs.

A 5.0 percent tax would be more than adequate under any of the specified conditions.

From a fiscal viewpoint, therefore, the only practicable choices are:

Health Insurance Provisions Which Can Be Financed by Specified Taxes						
Taxes		Limited medical care plans the taxes will finance				
Rate	Income limit	Dependents		Method of paying doctor		
		Up to age 18	Up to age 21	Fee-for service	Wholesale arrangements	Capitation
(A) Where the State meets the cost of administration, and no large reserves set up:						
3.0%	\$3,000	—	—	—	—	—
	4,000	—	—	—	—	—
	5,000	V	V	—	—	V
3.5%	3,000	V	—	—	—	V
	4,000	V	V	—	—	V
	5,000	V	V	—	V	V
4.0%	3,000	V	—	—	V	V
	4,000	V	V	—	V	V
	5,000	V	V	—	V	V
4.5%	3,000	V	—	V	V	V
	4,000	V	V	V	V	V
	5,000	V	V	V	V	V
(B) Where 10% of contributions go for administration and reserve:						
3.0%	\$3,000	—	—	—	—	—
	4,000	—	—	—	—	—
	5,000	—	—	—	—	—
3.5%	3,000	V	—	—	—	V
	4,000	V	V	—	—	V
	5,000	V	V	—	—	V
4.0%	3,000	V	—	—	—	V
	4,000	V	V	—	—	V
	5,000	V	V	—	V	V
4.5%	3,000	V	—	—	V	V
	4,000	—	V	—	V	V
	5,000	V	V	V	V	V

Note: A 5% tax will be adequate on any tax limit from \$3,000 up, dependent children up to 21, and whether or not the State meets administrative expenses.

SECTION IX

FINDINGS OF OTHER 1946 SURVEYS

The factual information brought out in the committee's study and outlined in this report has been substantiated by two other independent surveys of the problem undertaken in California and New York State, during 1946. The California survey was made by the California Assembly Interim Health Care Investigating Committee and the New York Study by the New York State Commission on Medical Care. A few of the findings reported are given below.

**CALIFORNIA ASSEMBLY INTERIM HEALTH CARE
INVESTIGATING COMMITTEE**

In its "Summary of the Findings" (*Assembly Daily Journal*, July 23, 1946, pp. 17-18), this committee reported:

1. Sickness strikes among the rich and poor, rural dwellers and urban dwellers, in California, in "much the same pattern of frequency as in the rest of the Nation."
2. Medical care facilities in the State are below the level which must exist if the people are to have "adequate" care.
3. Through insurance, the costs of illness may be averaged and protection afforded at "equitable" rates.
4. Voluntary insurance and its high insurance rates result in "adverse selection" against the insurer—making such insurance unduly expensive.
5. The costs of voluntary prepayment or insurance plans and insurance are such that protection under them for all members of a worker's family is a severe financial strain.
6. Few in the moderate income groups can afford complete coverage for all members of the family at the current individual premium rates.
7. Many who want voluntary sickness insurance cannot obtain it because of the group provisions.
8. For the most part, the voluntary plans, except as to individual contracts, have failed to reach into rural areas or into urban areas at any distance from larger centers of population. This is particularly true of those plans affording the advantages of clinical group practice.
9. Compulsory sickness insurance, even with the limited benefits of the sort proposed in the bills at the last session of the Legislature, cannot be provided through contributions of 3 percent of pay rolls as specified in those bills unless physicians operate on a salary, capitation or reduced fee basis, or unless medical care is rendered through group practice with facilities provided by the State, or unless the indigent sick are "cared for as present."

NEW YORK STATE LEGISLATIVE COMMISSION ON MEDICAL CARE

A summary of the findings of this commission, reported in their publication, "*Medical Care For The People of New York State*," February, 1946, is as follows:

1. "The need for medical care exists universally; there is evidence that the absolute need is approximately the same in New York State as in the Nation. The amount of care needed is somewhat greater for low-income than for high-income groups. A lack of adequate medical care tends to produce poverty and financial dependence, which in turn tend to produce a relatively greater need for care, thus establishing a vicious cycle.

2. "The amount of medical care received on the average varies not with need, but with ability to pay for it, with the exception of persons largely or completely dependent upon the public for subsistence. The disproportionately small amount of medical care received by persons of below-average income requires a disproportionately large percentage of their income. This disproportion is emphasized rather than relieved by voluntary insurance programs because their premiums are fixed without regard to ability to pay. The purchase of medical insurance at uniform rates, i.e., at the average cost, is beyond the financial capability of a large proportion of the population. The attempt of private persons and agencies providing medical care to adjust charges to ability to pay tends to but does not in satisfactory measure relieve the disproportionality mentioned.

3. "The public medical care programs in the State generally provide care only to persons whose income affords a standard of living below or close to a subsistence level. With the possible exception of hospitalization and certain health supervisory services, the public programs offer little to persons below average income but above a subsistence level.

"The hospitalization of tuberculous and mental patients is in the public interest and may be required by legal process, but the public has not fully met its obligation to provide such hospitalization as a wholly public responsibility.

4. "The provision of medical care to the population as a whole in accordance with medical needs would seem to be limited to three methods:

"Care at public expense to those who qualify under a means test.

"Care at public expense from general funds for all persons, regardless of financial ability.

"Care at individual expense on a compulsory insurance basis, with required payments graded according to financial ability.

"The first method does not seem acceptable, because to apply for care by public charitable agencies is generally distasteful and is not practiced except in emergencies or periods of great financial stress. People prefer to obtain medical care through payments from their own resources.

"The second method is not recommended, except for certain specialized services such as hospital care of tuberculosis and mental disease, because it may lead to the provision of all care by physicians, dentists and hospitals in the direct service of the State, and to reliance of the people on the State rather than their individual resources.

"The third method seems to be the most desirable and the one in greatest public favor.

5. "A majority of the people of the State believe in the purchase of medical care by insurance methods. Voluntary medical care and

hospitalization insurance plans are generally available, but many persons and families find themselves unable to pay premiums, and many other encounter difficulties in enrolling, due to occupation, place of employment, age, physical condition, etc. Some persons otherwise eligible do not enroll in voluntary plans because of indifference to their own needs and the needs of children and others who may be dependent upon them.

6. "The provision of medical care in accordance with medical needs can be accomplished only if persons of above-average income contribute on behalf of persons of below-average income. To achieve this it is necessary to compel payments, either in the form of general taxes or personal contributions graded in accordance with ability to pay. A majority of the people of the State favor, and it is feasible to establish a compulsory plan under which the amount of the payments would depend on individual or family income, and which would cover everyone, with each self-supporting person making his own payments.

"A reasonably comprehensive plan would require payments of between 3 and 4 percent of income. Payments on this scale would not be much greater than the present average, because there would be added only the average cost of the additional service provided.

7. "The income of the people of the State of New York is adequate to pay for, and the State possesses personnel and facilities sufficient to implement an insurance plan covering all persons for physician and hospital care. Dental personnel are insufficient to implement any but a limited program. The experiences of voluntary and compulsory medical insurance plans indicate that there may be developed an administrative system which would preserve the freedom of action of those providing care and those receiving it."

RECOMMENDATIONS OF THE SENATE COMMITTEE ON PREPAID HEALTH INSURANCE

The studies conducted by the committee show that at the present time in California, there is a shortage of hospital facilities, a shortage of medical, laboratory and diagnostic facilities in general. Moreover it appears that the ratio of doctors to the population has not yet returned to its prewar level, or to a level which would be necessary and desirable if a general system of prepaid health insurance with broad coverage were to be adopted at this time. From its studies, the committee offers the following recommendations:

1. That the State of California give all possible aid to the establishment of hospitals throughout the State, particularly in rural areas where only limited hospital facilities exist today. Such a system should take advantage of the present federal hospital aid program, which together with state aid and such financing as could be advanced by cities, counties and hospital districts should enable all areas of the State to obtain reasonable hospital facilities.

(Committee recommendation unanimous)

2. That there be established by law a commission for the Study of Health Insurance. Such a commission should be adequately financed, representative of the medical profession, the hospitals, business, agriculture, labor, the general public, and the legislature. The commission should conduct a continuous survey of the problem of medical care for the people of California and of the problem of prepaid health insurance in particular. Some of the purposes of the commission should be to determine the need and demand for prepaid health insurance, to keep the legislature currently informed on the availability of medical, hospital, laboratory and diagnostic facilities in general, and the extent to which the existing voluntary systems of prepaid health insurance meet the needs of the people of California.

(For the recommendation, Sutton, Jespersen, Shelley and Salsman
Against the recommendation, Breed)*

3. That there be established at once by the State of California a system of prepaid health insurance to protect the people of this State against the peril of catastrophic illness. Such a program should be limited, for the time being, to those cases where the duration of the illness is long or the cost of treatment great. The definition of "catastrophic illness" is of necessity a matter for legislative determination.

*(For the recommendation, Jespersen, Shelley, Salsman
Against the recommendation, Breed, Sutton)*

4. That all existing voluntary systems of prepaid health insurance now operating in California be given every encouragement in their effort to fulfill the public demand for prepaid health insurance. That there be established in the Department of Insurance, a division to assume jurisdiction over all existing prepaid health insurance plans now operating in California, and that the Insurance Commissioner be given the power to license and regulate all such plans and also any new ones which may seek to establish themselves. It should be the State's purpose in this regard to set minimum standards for all such plans, to supervise their practices, to arbitrate their disputes and to correct any abuses which may arise. It is the belief of the committee that some standardization in the field of health insurance is feasible, and that a given amount of premium should purchase a definite amount of medical and hospital care, regardless of whose policy is purchased or whose plan is adopted by any individual or group.

*(For the recommendation, Jespersen, Sutton, Shelley and Salsman
Against the recommendation, Breed)*

5. When the proposed Commission for the Study of Health Insurance has determined and reported to the Legislature that adequate hospital and medical facilities exist in California and that the supply of doctors is sufficient to render the services proposed to be given under a general system of health insurance, and that there are substantial unmet medical needs in the State not adequately covered by voluntary prepayment plans, the committee then recommends that there be established by law a comprehensive system of prepaid health insurance, having at least as much coverage and providing as many benefits as the most recent legislative proposals advanced in California. Such a system of health insurance should provide for the operation within the system of all voluntary

* Senator Sutton believes that the life of the commission should be limited to four years.

plans which meet the standards set up by law, in much the same way that private insurance companies now operate within the Workmen's Compensation System, or under the Unemployment Disability Benefits Act.

*(For the recommendation, Jespersen, Sutton, Shelley and Salaman
Against the recommendation, Breed)*

MINORITY REPORT AND RECOMMENDATIONS TO THE SENATE INTERIM COMMITTEE ON PREPAYMENT OF MEDICAL AND HOSPITAL CARE

By

SENATOR ARTHUR H. BREED, JR.

At the 1945 Session of the Legislature, two interim committees were created to study the general subject of health insurance and report their findings. In the Assembly, the interim committee was directed to report its findings by July 1, 1946. In the Senate, the Interim Committee on Prepayment of Medical and Hospital Care was not required to report until the present session.

The Senate interim committee commenced to function immediately upon its appointment. Under the supervision of its chairman, it selected a research staff and directed that a complete investigation and study be made of the subject of prepaid medical and hospital care. The committee gave the research staff a free hand and permitted it to go about its work without interference.

In the Fall of 1946, the committee met and received from the research staff a tentative draft of the so-called studies of the staff. Included therein was a 17-page chapter entitled "Analysis of the Report of the 1946 California Assembly Health Care Investigating Interim Committee" in which the research staff characterized the studies of the Assembly committee as biased, misleading and, in substance, dishonest. In this chapter, the research staff clearly expressed its own conviction that compulsory health insurance is the desired end and that all so-called studies ought to lead to that conclusion, and if they do not, they are, therefore, biased. It was necessary for the committee, without a dissenting vote, to delete this chapter from its report. However, the significance of the chapter so deleted must not be overlooked. Necessarily, it means that the entire research work of the staff selected by the committee was predicated upon the premise held by the members of the staff at the outset that compulsory health insurance was the objective and that the so-called research studies were the means to that end.

After devoting a great deal of time to a word-by-word study of the voluminous report submitted by the research staff, on December 24, 1946 I sent the following letter to the chairman and members of the committee:

"I have read and given a great deal of reflection to the rough draft summary of the final proposed report of our committee as written by Mr. Claycombe and given to us at our last meeting in San Francisco on December 5th and 6th.

"The more I study the material submitted to us and endeavor to weigh it and analyze it objectively and to consider its implication, the

more convinced I become that the suggested final report is not a document that we will be proud of; in fact, I fear that we will be busy defending ourselves for signing such a report. I find the report in general pointed in one direction; namely, toward endorsing and ustifying compulsory health insurance which is one step toward sovietizing America. Any report should be solely factual. Any slanting should be determined by the committee itself, not by the staff.

"The subject of health insurance is so broad and complex, it is difficult to present any unbiased report. The report cites certain statistics to attempt to describe a situation. I find the statistics are drawn to justify a conclusion. In other words, the whole picture is out of focus, not well-balanced, accurately weighing and proportioning the relative component parts in their true proportion and with their proper values.

"I feel that, under the conditions, our research director did as good a job as could be expected; he was new to the subject and did not have the finances or adequate research staff to thoroughly or properly collect all of the pertinent facts relative to this subject. Of necessity he had to avoid exploring fields in this subject because time, adequate assistance and finances were not available to him, with the result that the whole broad complex picture was not clearly brought to him in all its aspects so that he naturally now presents a picture to us out of focus and distorted as to facts. The report is far from being complete. Mr. Claycombe has been working under these serious handicaps which were made worse when the research assistance that he was able to obtain kept handing him only pink or red colors with which to make the picture that was submitted to our committee.

"The Legislature, in receiving a report from an Interim Committee on Health Insurance, will expect us to cover the subjects of the needs of the citizens of the State, what is now available, what services are now being rendered to the people of the State and whether or not we have any plans for improving the present conditions and the cost of any plans. The report attempts to digest other studies of health insurance but even such a digest is not what the Legislature needs in approaching the problem. The Legislature must know the basic facts on the true conditions in California, just what services are now being rendered to the citizens of the State and what the real needs are and what they cost (See Senate Resolution 131). Our committee has had but \$20,000 at its disposal but the Governor's Advisory Council on Hospital Facilities, which is studying only a small segment of this subject, namely, hospital facilities in California, has an appropriation of \$25,000.

"In going over the rough draft of the summary, I find a great deal of emphasis placed upon public opinion surveys and conclusions drawn therefrom which purport to indicate unmet medical needs. In my opinion, a public opinion survey is very, very far from accurately presenting facts as to needs because most people that would be interviewed by any poll would not have an overall understanding of the many present services now being rendered due to the fact that the subject is so broad and complex that no one person can be expected to know the entire state picture in true perspective. Therefore, I feel that such a survey is merely an opinion and proves very little and should not be used as a substitute for facts.

"I now sincerely suggest to the committee that we recommend to the Legislature that a continuing study be made of this subject and that a joint Senate and Assembly committee be created to advise on the continuing studies, also that an advisory committee be formed to work with the joint legislative committee; said advisory committee to consist of nominees of representatives of all groups, both public and private, that deal directly or indirectly with services affecting the health of citizens of California. For an example; representatives from the following groups, California Medical Association, Association of California Hospitals, California Pharmaceutical Association, the private health insurance group, the State Public Health Service, City Health Departments, County Health Departments, California Dental Association, Nurses Association, Biological Laboratory group, and Medical Schools of the State. It would be well also to have a representative of the Federal Veterans Hospital Administration, of the State Department of Mental Hygiene, of the State Department of Employment—one specializing in disability benefit payments, and of the Industrial Accident Commission.

"I do not wish to have the impression created that I feel that the work of this committee has been for naught. I feel the money has been well spent and that, if no other conclusion is arrived at, the work conducted under the direction of this committee has been useful to the people of the State if it only served to clearly indicate to the members of this committee and to the Senate and other interested parties that the subject of health insurance is a very broad and complex one and thus a subject that needs continuing study by many people in order to bring about an improvement of conditions within the State. No Legislature can intelligently cope with any problem until it first understands the various segments of the problem. We have made a start in recognizing some of the segments, complexities and the breadth of health insurance. I, therefore, sincerely suggest that we recommend a continuing study be made in connection with the Legislature on some such plan as I have indicated above."

I still hold the views expressed in the foregoing letter.

I am fully convinced that the studies made by the committee's research staff, shorn of their propaganda and expressions of personal opinions, demonstrate that outside of a shortage of hospital facilities due directly to population growths in the past decade, and a shortage of trained medical personnel due to the war, the State of California is in a comparatively good condition with respect to the availability of medical care.

I am further convinced that this problem has not been approached intelligently, with a careful evaluation of the availability of the separate services which comprise needed health care, but, rather, has been lumped together under the general head of "medical care," with the same treatment—compulsory health insurance—being prescribed alike for the separate services provided by hospitals, by physicians, by nurses, by pharmacists, by dentists, etcetera. The economics of each of these services differ from the other, and, to be treated intelligently and effectively, each must be given different treatment. Compulsory health insurance is offered as a panacea; the American people have had enough of governmental panaceas.

In this connection, it has come to my attention that the Alameda County Medical Association in conjunction with its general program to make the services of physicians and surgeons available to all residents of Alameda County regardless of ability to pay, has from time to time inserted advertisements in all of the daily newspapers of Alameda County calling attention to the public of the fact that the Alameda County Medical Association guarantees medical care to anyone in the county regardless of ability to pay and that to date, I am assured and reliably informed that the County Medical Association has yet to receive a reply from its advertisements by any person who is in need of medical care and is not obtaining it because he cannot pay for it. This is actual demonstration and is not a theory. It refutes the mass of assumptions, inferences and innuendos to the contrary scattered throughout the report recently prepared by the committee's research staff.

For these reasons, I recommend the following:

1. That the State of California give all possible aid to the establishment of hospitals throughout the State, particularly in rural areas where only limited hospital facilities exist today. Such a system should take advantage of the present federal hospital aid program, which together with state aid and such financing as could be advanced by cities, counties and hospital districts, should enable the rural areas of the State to obtain reasonable hospital facilities.

2. Encourage voluntary health insurance plans. Help awaken the public to the existence of means to budget the cost of illness in advance. Assist voluntary health insurance to achieve the same public acceptance and support as life insurance has acquired.

3. That we disapprove any compulsory or government-controlled plan. People have "had enough" of regimentation.

4. That there be an adequately financed joint legislative committee to continue the studies this committee has only begun, with primary emphasis given to the collection of pertinent, present-day facts in California—not mere opinion. Experience has proven that two independent committees, one from each branch of the Legislature, do not function in a manner calculated to arrive at integrated conclusions. This entire subject is far too important to the public health and welfare to be approached in any way other than the most efficient, the most effective, and the most objective.

5. That an advisory committee be formed to work with the joint legislative committee. This committee should consist of nominees of all groups and agencies, both private and public, that deal directly or indirectly with services and facilities affecting the health of the people of California.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 15, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 30—An act making an appropriation for the purchase of land for Stockton State Hospital, repealing Chapter 1460 of the Statutes of 1945, and declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the fourteenth day of January, 1947, at 4.30 p.m.

POWERS, Chairman

Senator Oliver J. Carter Presiding

At 10.40 a.m., Senator Oliver J. Carter, of the Fifth District, presiding.

RESOLUTIONS

The following resolution was offered:

By Senator Gordon:

Senate Resolution No. 28

Relating to the continuance of the Senate Committee on Fish and Game Problems created by Senate Resolution No. 160 of the Fifty-sixth Regular Session

Resolved by the Senate of the State of California, As follows:

1. The Senate Committee on Fish and Game Problems created by Senate Resolution No. 160 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 34—An act to amend Section 1 of an act entitled "An act to suspend those provisions of Article XI, Section 5, of the Constitution, relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately," approved January 24, 1945, relating to the compensation of county, township, and municipal officers, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah,

Keating, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 4—An act making an appropriation to the Department of Veterans Affairs for the purpose of providing educational assistance for veterans, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 4:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 8, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Senate Bill No. 4—"An act making an appropriation to the Department of Veterans Affairs for the purpose of providing educational assistance for veterans, declaring the urgency hereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 4 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Weybret—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 33—An act authorizing the sale of certain Folsom Prison property to the City of Folsom, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 62—An act to add Section 4041p to the Political Code, and Section 25560 to the Government Code, relating to the powers and duties of county boards of supervisors, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time, and presented by Senator Tenney.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO PRINT REPORT

Senator Hatfield moved that the Special Report Regarding the Foot and Mouth Disease in the Republic of Mexico be printed in the Journal and 250 additional copies printed in 10 point type.

Motion carried.

SPECIAL REPORT

REGARDING FOOT AND MOUTH DISEASE IN THE REPUBLIC OF MEXICO SUBMITTED BY THE JOINT LEGISLATIVE COMMITTEE ON AGRICULTURAL AND LIVESTOCK PROBLEMS

PROBLEM: Presence of Foot and Mouth Disease in the Republic of Mexico.

DISCUSSION: The committee's attention has been directed by the Governor's office, by the State Department of Agriculture, and by representatives of the California Cattlemen's Association to the presence of foot and mouth disease in the Republic of Mexico. The Governor has indicated his deep concern in this grave threat to the livestock industry of the Nation and to California and has informed the committee that he will use the authority of his office to aid in any proper solution of the problem.

As of this time, the committee does not recommend an appropriation but is keeping alert to this situation and should an emergency develop which would require an appropriation in this matter, the committee will cooperate with the Governor's office in reporting it promptly to the Senate and to the Assembly.

A brief history of the present outbreak of foot and mouth disease in Mexico, together with a record of the steps taken by the State of California in this matter is as follows:

On December 26, 1946, two veterinarians of the United States Bureau of Animal Industry who had been sent to Mexico to investigate a fast spreading disease in that country telephoned to the Chief, United States Bureau of Animal Industry, Washington, D. C., that the disease had definitely been diagnosed as foot and mouth disease. At that time the disease was in the two States of Vera Cruz and Pueblo. The evening of that date all ports of entry between Mexico and the United States were closed. It is presumed that the disease was brought into Mexico through the importation of Brahman or Zebu bulls from Brazil. According to latest information, foot and mouth disease has spread to several states mostly southeast of Mexico City.

Approximately two months earlier or, on October 18, 1946, a temporary embargo on shipments of cattle from Mexico to the United States was lifted. Since that date until the finding of foot and mouth disease approximately 100,000 cattle have been moved across the border into the United States for feeding. At least 26,000 of these cattle were shipped into California. It has been a regular procedure to ship about 500,000 cattle across the border from Mexico during the winter months. If the border stations had not been closed because of foot and mouth disease, an additional 400,000 cattle would have come into the United States within the following winter months.

A circular letter was mailed by the Division of Animal Industry, State Department of Agriculture, to county livestock inspectors and practicing veterinarians in California advising them regarding the occurrence of foot and mouth disease in Mexico and requesting that they be on the alert and report any cases observed by them showing symptoms suggestive of that disease. As a result of that letter, veterinarians of this division have made a number of investigations but in each instance the trouble was found to be due to some other cause. This procedure, however, is necessary as a precautionary measure.

The presence of foot and mouth disease in Mexico is a threat to the livestock industry in California because this is a border state and the introduction of a carrier of foot and mouth disease could be a possibility.

An appropriate joint resolution is being introduced regarding this matter and suggesting the cooperation of the Congress and various United States officials with Mexican officials in combatting the disease.

GEORGE J. HATFIELD, Chairman
LLOYD W. LOWREY, Vice Chairman
THOMAS M. ERWIN, Vice Chairman
GEORGE A. CLARKE
GEORGE R. BUTTERS
RALPH M. BROWN
JOHN F. THOMPSON
BEN HULSE
BRADFORD S. CRITTENDEN
HAROLD J. POWERS
EARL D. DESMOND
FRED WEYBRET

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 15, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 26

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 3; absent 2.

POWERS, Chairman

Above reported resolution ordered to third reading.

Request for Unanimous Consent

Senator Judah asked for, and was granted, unanimous consent to take up Senate Resolution No. 26, at this time, for consideration.

CONSIDERATION OF SENATE RESOLUTION NO. 26

Senate Resolution No. 26—Relative to the continuance of the Senate Committee on Shoreline Development and Beach Erosion created by Senate Resolution No. 136 of the Fifty-sixth Regular Session.

Resolved by the Senate of the State of California, as follows:

1. The Senate Committee on Shoreline Development and Beach Erosion created by Senate Resolution No. 136 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the fifteenth legislative day of the next regular general session.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 15, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor, dated January 7, 1947, appointing

RICHARD E. MITCHELL, as Member of the Public Utilities Commission, for the term prescribed by law, ending December 31, 1952, vice self;

TOLAND C. McGETTIGAN, as Member of the California Unemployment Insurance Appeals Board, and Member of the California Employment Stabilization Commission, for the term prescribed by law, ending December 31, 1950, vice self;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee Membership 5; Committee Vote: Ayes 3; Noes 0.

POWERS, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Richard E. Mittelstaedt as a member of the Public Utilities Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Richard E. Mittelstaedt?"

The roll was called, with the following result:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Richard E. Mittelstaedt as a member of the Public Utilities Commission.

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Toland C. McGettigan as a member of the Unemployment Insurance Appeals Board, and member of the California Employment Stabilization Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Toland C. McGettigan?"

The roll was called, with the following result:

AYES—Senators Breed, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Toland C. McGettigan as a member of the Unemployment Insurance Appeals Board, and member of the California Employment Stabilization Commission.

Senator Nelson S. Dilworth Presiding

At 11.24 a.m., Senator Nelson S. Dilworth of the Thirty-seventh District, presiding.

RESOLUTIONS

The following resolutions were offered:

By Committee on Rules:

Senate Resolution No. 29

Resolved, That the Secretary of the Senate be and he is hereby directed to order for such Members of the Senate as may require the same, copies of the latest edition of Deering's Codes and General Laws and Larmac Index.

Resolution read, and on motion of Senator Salsman, adopted.

By Senator Weybret:

Senate Resolution No. 30

Relative to memorializing Congress to enact legislation to establish a permanent naval postgraduate school for officers at Monterey, California

WHEREAS, The present facilities for the training of naval officers are inadequate to meet the demands of the increased size of the postwar Navy, and to accomplish the postgraduate training program for officers of the United States Navy; and

WHEREAS, The acquisition of additional facilities for the further training of naval officers is vital to the fulfillment of the program designed to preserve the position of our naval service as the finest among the navies of the world; and

WHEREAS, The Senate of the State of California previously has favored the establishment of a permanent naval academy in this State, and numerous official and unofficial bodies have signified the desirability of having a naval academy located in this State; and

WHEREAS, The United States Navy Board has recommended the purchase of the Del Monte site located at Monterey, California, because of its unique suitability and all-around adaptability to the aims, purposes and function of the proposed postgraduate training plan; and

WHEREAS, Members of Congressional committees, delegated to inspect several proposed sites for the location of such a school, have enthusiastically favored the proposed site at Monterey, California, because of its ideal climate, location, proximity to metropolitan areas, and air, sea and rail transportation facilities, and because the site is superior in every way to other proposed locations; now, therefore, be it

Resolved by the Senate of the State of California, That the President of the United States and the Senate and House of Representatives of the United States, be memorialized to enact at this session of Congress legislation to establish a permanent naval officers' postgraduate school on the Monterey peninsula, at Monterey, California; and be it further

Resolved, That the Secretary of the Senate of the State of California is directed to transmit copies of this resolution to the President of the United States, to the President pro Tempore of the Senate, to the Speaker of the House of Representatives, and to the Senators and Representatives from the State of California.

Resolution read, and on motion of Senator Weybret, adopted.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 7

Senate Joint Resolution No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By C. W. QUEALE, Assistant Clerk

Above resolutions ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 121: By Senator Desmond—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 122: By Senators Dilworth and Quinn—An act to amend Section 5082 of the Business and Professions Code, relating to registration as a public accountant.

Referred to Committee on Business and Professions.

Senate Bill No. 123: By Senator Breed—An act to amend Sections 1 and 5a of an act entitled "The California Air Navigation Act," relating to air navigation.

Referred to Committee on Transportation.

Senate Bill No. 124: By Senator Hulse—An act declaring the policy of the State relating to aeronautics, creating the California State Aeronautics Board, prescribing its powers and duties, and providing for the cooperation of the Department of Public Works.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 125: By Senators O'Gara and Tenney—An act calling a special election to submit to the electors of California an amendment to the Constitution of the State, proposed by the Legislature and relating to housing and community redevelopment.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 126: By Senator Weybret—An act to amend Section 592.1 of the Vehicle Code, relating to parking of vehicles.

Referred to Committee on Transportation.

Senate Bill No. 127: By Senator Swing—An act to amend Section 4237.1 of the Political Code and Section 28108 of the Government Code, relating to salaries of phonographic reporters in counties of the eighth class.

Referred to Committee on Judiciary.

Senate Bill No. 128: By Senator Salsman—An act to add Section 66e to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Santa Clara, and providing for the appointment of an additional judge and for his compensation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 129: By Senators Crittenden, Hatfield, Jespersen, and Donnelly—An act to amend Section 1153 of the Agricultural Code, relating to the rendering of services to promote the sale and distribution of the agricultural products of this State in state, interstate, and foreign markets.

Referred to Committee on Agriculture.

Senate Bill No. 130: By Senator Deuel—An act to add Sections 272.5 and 281.6 to the Agricultural Code, relating to bees.

Referred to Committee on Agriculture.

Senate Bill No. 131: By Senator Deuel—An act to amend Sections 272, 274, 275, 283, 284, and 285.3 of the Agricultural Code, relating to bee diseases and apiary equipment brands.

Referred to Committee on Agriculture.

Senate Constitutional Amendment No. 3: By Senators O'Gara and Tenney—Proposed amendment to the Constitution by adding Article XXV, relative to housing and community development.

Referred to Committee on Governmental Efficiency.

Senate Constitutional Amendment No. 4: By Senators Breed, Cunningham, Hatfield, Deuel, Brown, et al.—Proposed amendment to Section 23 of Article IV of the Constitution of said State, relative to the compensation of members of the Legislature.

Referred to Committee on Governmental Efficiency.

Senate Concurrent Resolution No. 15: By Senator Breed—Relative to approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of November, 1946.

Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 15, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 15

Senate Concurrent Resolution No. 15—Relative to approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of November, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, JANUARY 15, 1947

MR. PRESIDENT: The Committee on Rules makes the following suggestions for committee organization:

Suggestions for Committee Organization

The officers of this committee shall be a chairman, vice chairman, and secretary.

The chairman shall preside at meetings when present and when absent the vice chairman shall preside.

The secretary shall keep a complete record of the meetings and of action taken by the committee.

The committee shall meet in regular session, in Room_____, on_____and _____of each week, at the hour of_____. Adjourned meetings or special meetings shall be held at the time fixed in the adjourning motion or on the call for the special meeting.

Special meetings may be called by the chairman by giving at least three hours' notice, specifying the purpose of the meeting and the time and place thereof and the matters to be considered at such special meeting, and no bill or other formal matter shall be considered at such meeting other than those specified in the notice.

_____members shall constitute a quorum and no bill shall be voted out of committee except on the affirmative vote of_____members.

No bill shall be signed out of committee.

The chairman shall arrange the calendar for the various meetings and shall set bills to be heard at the various meetings and give notice thereof. No bills except those on the calendar shall be considered at any meeting except with the unanimous consent of those present. The calendar shall be made up at least twelve (12) hours before time of meeting. Notice of hearing of bills shall be given the author and such other persons requesting notice in writing. Bills will not be considered in the absence of the author without his consent. All bills shall be carefully considered and all controversial measures shall be fully and completely heard in such manner and at such time as the committee shall determine.

In controversial matters it might be advisable for the committee to take action in executive session.

Any bill laid upon the table shall not be removed unless one day's notice of intention to remove the same from the table shall have been first given. Reconsideration of the vote by which a bill is voted out, tabled or defeated, may be made at the same meeting or at a subsequent meeting upon at least one day's notice, in writing, to the chairman of the committee and no motion to reconsider a vote or to take it to the table at a subsequent meeting shall be considered unless one day's notice of intention to make such motion shall have been given.

The chairman shall direct the order of presentation of the arguments for and against matters for consideration by the committee and shall permit questions to be asked by the various members of the committee, in an orderly fashion and in keeping with proper decorum.

It shall be the duty of the Sergeant-at-Arms, or an Assistant Sergeant-at-Arms, to be present and maintain order during meetings of the committee.

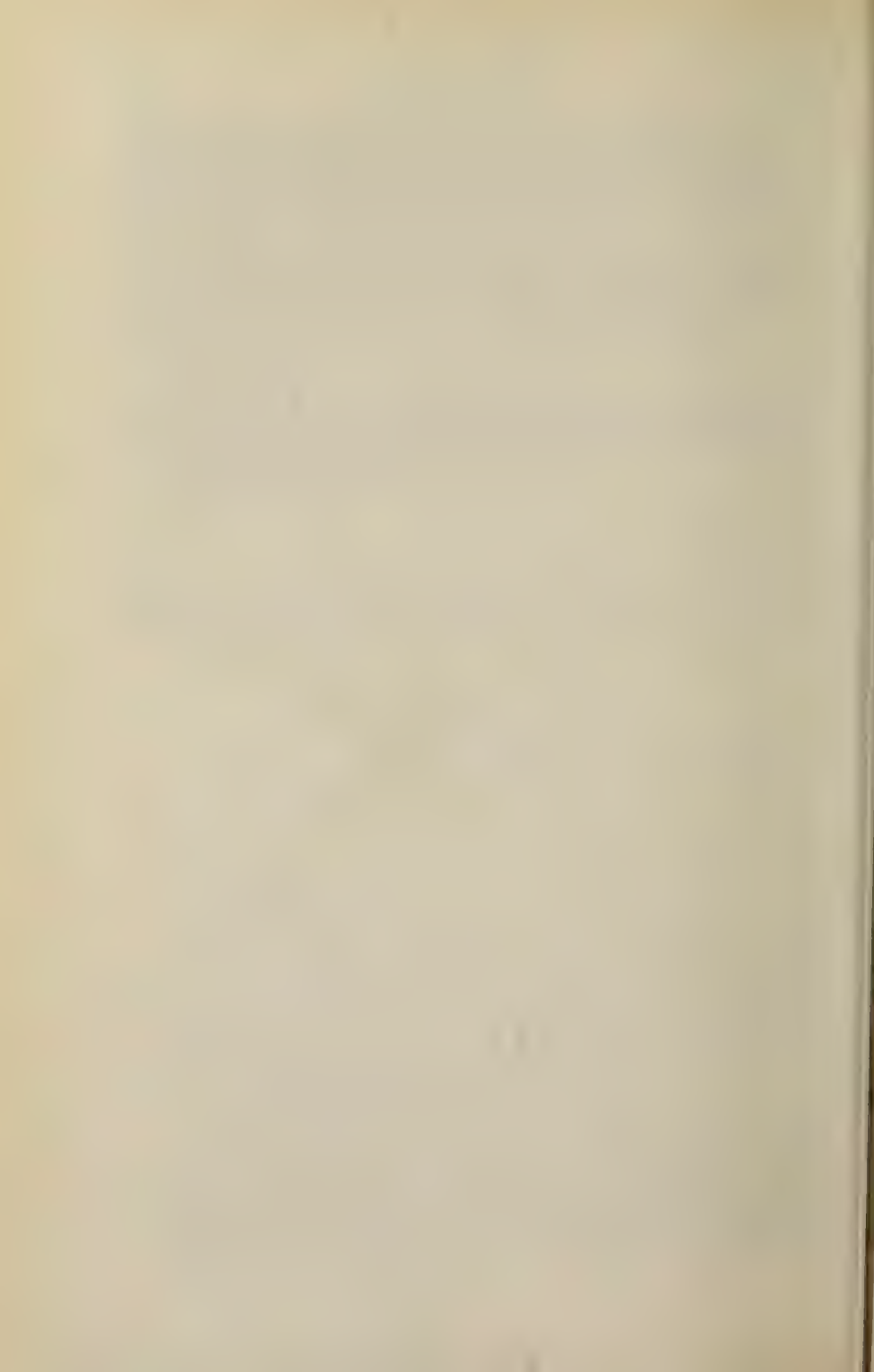
Bills favorably acted upon shall be reported to the Senate as expeditiously as the reports can be prepared.

POWERS, Chairman

ADJOURNMENT

At 11.35 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., Thursday, January 16, 1947.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

NINTH LEGISLATIVE DAY

ELEVENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, January 16, 1947

The Senate met at 10.30 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,
presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Hatfield, on motion of Senator Powers, due to illness.

Senator Brown, on motion of Senator Powers.

Senator Mayo, on motion of Senator Powers.

Senator McBride, on motion of Senator Powers.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Judah, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Alvin Gregory of Davenport.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Agnes Booe of Diablo.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Orme Johnson of San Francisco.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Walter E. Mayes, Supervisor of the Fifth District, Corning.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 24

Assembly Concurrent Resolution No. 25

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

By H. F. LEWBRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 24—Relative to adjournment in respect to the memory of Dana Reid Weller.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 24, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 24

Assembly Concurrent Resolution No. 24—Relative to adjournment in respect to the memory of Dana Reid Weller.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 25—Relative to approving an amendment to the charter of the City of Piedmont, a municipal corporation of the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on April 9, 1946.

Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 25, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 25

Assembly Concurrent Resolution No. 25—Relative to approving an amendment to the charter of the City of Piedmont, a municipal corporation of the County of Alameda, State of California, voted for and

ratified by the qualified electors of said city at a special municipal election held therein on April 9, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senator W. P. Rich Presiding

At 10.42 a.m., Senator W. P. Rich of the Tenth District, presiding.

MOTION TO PRINT SUMMARY OF REPORT

Senator Deuel moved that the summary of the Report of Action Taken by the State Public Works Board be printed in the Journal, and the report filed with the Secretary of the Senate.

Motion carried.

Summary of Report of Action Taken by the State Public Works Board

DEPARTMENT OF FINANCE

SACRAMENTO, January 16, 1947

Honorable Goodwin J. Knight
President of the Senate

Honorable Sam L. Collins
Speaker of the Assembly

Respectfully submitted herewith is the first report to the Legislature of the State Public Works Board on the status of the building program of state agencies being carried out under authority of Chapter 145, Statutes of 1946 (First Extraordinary) Session. Section 12 of the act stipulates that such a report be presented within 10 days after the opening of each regular legislative session.

This act, by which the board was created and by which funds are provided for a unified program of construction, improvements and equipment for state agencies, was passed at the Special Legislative Session of January, 1946, was approved by the Governor on March 13, 1946, and became law on May 21, 1946. Since this latter date and covering the period through December 31, 1946, the board has taken certain actions designed to carry out the postwar construction program of the several state agencies. These actions taken to date are consistent with the provisions of the act. Yet, at the same time, they have been circumscribed by the difficulties, uncertainties and high costs inherent in any building program undertaken at this time. Projects approved by the board thus far and the progress being made in implementing them are recapitulated in the four schedules attached hereto and designated as follows:

SCHEDULE A—Summarizes the allocations of funds recommended by the State Public Works Board during the period May 21, 1946, through December 31, 1946. They are segregated into the four classifications of "Plans and Specifications," "Equipment," "Construction" and "Miscellaneous Repairs and Improvements" for each of the agencies participating in the program. This schedule reveals that the board has recommended to the Director of Finance the allocation of \$11,044,988 as follows:

For plans and specifications	\$1,182,488
For equipment purchases	2,902,000
For construction projects	4,960,500
For miscellaneous repairs and improvements	2,000,000
Total	\$11,044,988

SCHEDULE B—Details the projects of each agency for which allocations have been made pursuant to board recommendation and shows the specific amount allotted for each project, the amount encumbered to date and the balance still unencumbered. As revealed in this schedule, the total amount of executive orders issued through December 31, 1946, is \$10,944,093. The difference between this figure and the total of

Schedule "A" represents board recommendations which have not yet been implemented through issuance of executive orders. A recapitulation of Schedule "B" follows:

<i>Executive orders issued</i>	<i>Amount allocated</i>	<i>Amount encumbered</i>	<i>Unencumbered balance</i>
For plans and specifications -----	\$1,182,488	\$774,491	\$407,997
For equipment purchases -----	2,812,930	575,781	2,237,149
For construction projects -----	4,990,500	2,198,758	2,791,742
For misc. repairs and improvements..	1,988,175	666,662	1,321,513
Total -----	\$10,944,093	\$4,215,692	\$6,728,401

SCHEDULE C—Relates the construction projects approved by the board to the priority listing of projects in the "Statement of Capital Expenditures Required by State Agencies," submitted by the Director of Finance at the time of the January, 1946, Special Legislative Session. Each agency's projects are listed in priority sequence. The January, 1946, estimated costs are shown in comparison with the actual amounts approved by the board for allocation.

SCHEDULE D—Shows the status as of December 31, 1946, of the \$154,000,000 appropriation of Chapter 145. The summary of this schedule is:

Original appropriation -----	\$154,000,000
Approved for allocation:	
Executive orders issued -----	\$10,994,093
Executive orders not yet issued -----	100,895
	11,094,988
Balance of original appropriation still available -----	\$142,905,012

Not included in any of the foregoing schedules is reference to the serious responsibility placed on the board under Section 12 of the State Public Works Act, to report upon "the anticipated needs for expenditure during the next biennium." The period thus to be considered normally would be the two years starting July 1, 1947, and ending June 30, 1949. However, since recent passage of the constitutional amendment providing for annual legislative sessions, it has been assumed that the wording of this section should be construed to call for an estimate of construction expenditures for a one year period only, namely the fiscal year starting July 1, 1947, and ending June 30, 1948. The estimate made later in this report reflects this assumption.

The act creating the board under Section 3 says:

"The board shall determine when and if any construction . . . shall be undertaken and shall give due consideration to:

1. The immediate needs of state agencies for construction and improvements;
2. Obtaining construction . . . at the most reasonable price consistent with such needs;
3. The needs of construction . . . at state agencies in relation to the needs for private construction . . .
4. Providing of public works to relieve unemployment."

Section 3 further calls attention to the "intolerably overcrowded and distressed living conditions at our hospitals and other institutions for the care of the mentally ill and other wards of the State," and specifically directs the State Public Works Board, in the exercise of its powers and the discharge of its responsibilities "to give prime consideration to the needs of these institutions, . . . to do everything within its powers to assure prompt rectification of such conditions and to allow or suffer the undertaking of no other project . . . that will or may impair or retard the expeditious or complete attainment of these objectives for the wards of the State."

In preparing its estimate of anticipated expenditures during the coming fiscal year, the board has weighed carefully all of the foregoing factors, each in its relation to the others. The conclusion reached is that the "immediate needs" of state agencies and the specific legislative directive to give the earliest possible relief to overcrowded, obsolescent and inadequate facilities at state institutions and schools are factors of paramount importance and as such must be given the greater emphasis. It becomes mandatory, therefore, that the State during the coming fiscal year embark upon a minimum construction program even though it be one of considerable magnitude. The estimate of the board is based upon an indisputable need. Its cost is justified on the basis of such need. It has been tempered to the extent that with prudent timing it will not retard to any considerable degree the flow of materials and manpower into private construction channels.

In the opinion of the State Public Works Board the anticipated needs for expenditure by state agencies participating in the unified construction program will be as follows for the coming fiscal year:

University of California -----	\$12,000,000
Department of Education -----	10,000,000
Department of Mental Hygiene -----	14,000,000
Department of Corrections -----	6,000,000
California Youth Authority -----	3,500,000
Veterans' Home -----	1,750,000
State Capitol and Offices -----	5,000,000
Department of Natural Resources -----	1,000,000
Department of Motor Vehicles -----	1,250,000
Department of Agriculture -----	350,000
State Agricultural Society and Exposition Park ----- (program undetermined)	
Miscellaneous repairs and improvements -----	2,000,000
Total -----	\$56,850,000

It may be noted here that the above estimate has been computed on the basis of current construction costs which the State Architect and the University of California estimate are at index 500 (Base 1913=100). Projects contemplated under this program are exclusively those itemized in the printed listing of proposed capital expenditures submitted to the Legislature in January 1946. The program as financed at that time was estimated at a 333 index.

Special attention should also be called to the above proposed expenditures for projects of the Department of Mental Hygiene. This agency, which has by far the most extensive over-all postwar program, has received recently a considerable measure of temporary relief through acquisition of two surplus federal hospitals located near Auburn and Modesto. The hospitals are now being used, will be in full operation shortly, and will then provide accommodations for approximately 5,000 institution patients. However, when these two are completely filled, there will still be greater than 1,300 patients over capacity in the other institutions of this department at a time when the ratio of patients to population is below normal.

With respect to the anticipated expenditure of \$2,000,000 for projects in the miscellaneous repair and improvement category, particular reference is made to the fact that this will exhaust the funds available for these purposes. The expanded needs of all agencies for deferred maintenance and minor construction, occasioned through inability to date to commence or complete major construction and replacement projects, have created demands for these funds far in excess of earlier estimates. This aggravated condition may be expected to continue until the over-all building program is substantially completed.

In its report to the Legislature the State Public Works Board is also required to advise as to such additional amounts which should be appropriated to meet the costs of carrying out the approved building program of Chapter 145. In recommending on this subject the board has confined its analysis to the basic program as approved in January 1946, and as contemplated under the \$154,000,000 appropriation made at that time. Recommendations dealing with expansions of the scope of certain approved projects, with requests for financing of new projects and for augmentation of various direct appropriation acts, are being prepared by the Department of Finance, the State Architect and the several agencies involved for inclusion in the fiscal year budget to be submitted by the Governor.

Referring specifically to the program of expenditures approved and financed under Chapter 145, the board finds that increases in costs of construction, which have occurred during the last 12 months, have rendered this program insolvent to the extent of \$77,000,000. In effect, the \$154,000,000 program of new construction passed last January is as of this date only two-thirds financed. This means that at the present building cost index only two-thirds of the approved construction needs of the various state agencies can be provided with funds now available. Furthermore, it is estimated by the State Architect, the University of California, and other competent authorities that no immediate reduction in building costs can reasonably be anticipated.

The circumstances which have combined to produce today's costs of construction are common knowledge and have been covered thoroughly in the press and elsewhere. However, the dates of the basic changes in the cost indices are pertinent.

The construction cost index of 100 was created in 1913. The deferred building program of California state agencies was inaugurated in 1941 upon cost index 250. In January of 1946 the index had risen to 333. This was the basis for the unified construction program financed as of that date. As of December, 1946, further rises have lifted the index to 500. Relating this to the \$154,000,000 appropriation of last January, additional funds in the amount of \$77,000,000 are needed to provide for completion of the program at this current cost index factor.

It is the recommendation of the board that such additional funds, if approved, be apportioned among the various agencies as follows:

University of California.....	\$15,000,000
Department of Education.....	6,750,000
Department of Mental Hygiene.....	28,750,000
Department of Corrections.....	6,100,000
California Youth Authority.....	3,500,000
Veterans' Home.....	1,200,000
Department of Finance for State Capitol, office and other buildings.....	7,900,000
Department of Natural Resources.....	1,650,000
Department of Motor Vehicles.....	1,703,750
Department of Agriculture.....	225,000
State Agricultural Society and Exposition Park—Sixth District Agricultural Association.....	1,750,000
Miscellaneous repairs and improvements of which not more than five hundred thousand dollars (\$500,000) shall be available to the University of California.....	2,471,250
Total	\$77,000,000

Respectfully submitted.

JAMES S. DEAN
Chairman, State Public Works Board

MOTION TO PRINT REPORT

Senator Judah moved that the Report of the Interim Committee on Shoreline Development and Beach Erosion be printed in the Journal, and 250 additional copies of the report be printed in 10-point type.

Motion carried.

REPORT OF INTERIM COMMITTEE ON SHORELINE DEVELOPMENT AND BEACH EROSION

*President and Members of the State Senate
Senate Chamber, State Capitol
Sacramento, California*

GENTLEMEN: The following constitutes a report of the activities of the Shoreline Development and Beach Erosion Interim Committee appointed under Senate Resolution No. 136 at the conclusion of our regular session in 1945, and authorized to act after final adjournment of the Fifty-sixth Session.

The work of the committee was mainly cooperative with the activities of the Department of Beaches and Parks in the administration of the legislation passed by the Legislature at the 1945 Session which provided for the expenditure by the Beaches and Parks of the sum of \$10,000,000, in the purchase of privately owned beaches for public use along the shoreline of the 15 counties in the State facing the Pacific Ocean.

The first meeting of the committee was held in the Santa Barbara County Courthouse on October 20, 1945, with all members present with the exception of Senator Chris Jespersen. At that time a decision was made to advise with the Governor and the Department of Beaches and Parks along the line of administering the \$10,000,000 fund in such a way that state-wide values to the public at large would come from locating publicly owned beaches in various counties along the shoreline instead of developing a limited number of outstanding beach areas. This policy is now being followed by the department with Colonel Edwin C. Kelton, State Beach Erosion Engineer, in general charge of the work. It was the consensus of the meeting that inasmuch as the \$10,000,000 bill did not

include any reference to maintenance of those beaches finally acquired for public use, legislation at the proper time should be presented to create a fund for that purpose.

The chairman of the committee, following the meeting in Santa Barbara and, over a period of a year, has been in consultation with Colonel Kelton and was present at the meeting on November 15, 1945, at which county representatives gathered on the invitation of General W. T. Hannum, Director of Natural Resources, to consider master shoreline development plans. A full report of this meeting with the names of all those who were present and the statements made by most of them in connection with this new plan of beach acquisition, is included in the "Preliminary Master Plan of Shoreline Development for the State of California and Status Report on County Master Plans of Acquisition," copies of which are now in the hands of the Members of the Senate, laid on your desks on January 15th. As part of this report we desire to incorporate all of the text of the report above referred to and which was prepared by Colonel Kelton on instructions from the State Park Commission. In it will be found the comprehensive and complete story on the entire subject of California's great heritage in its magnificent stretches of beach front property, much of the cream of which has fallen into private hands, and looking well into the future, should be purchased for public use, the money for such purchasing to come from the \$10,000,000 fund and to be matched dollar for dollar by the counties in which the various beaches lie. The report also contains the exact status of beach front ownership either privately or publicly owned for the 15 counties from Del Norte to San Diego and a census of population fluctuations in the same counties; a description of the recreational areas near the California Coast; chapters on beach erosion problems; the method of coordination with county agencies in the expenditure of the \$10,000,000; a review of the county master plan process as the situation exists at present in all of the 15 coastal subdivisions. In this relation, the committee calls the attention of the Senate to page 36 of the department's Shoreline Development Report revealing that the first beach priorities set-up and requested by the various counties either in their plans or as modified by official action of properly constituted officials, calls for an allocation of state funds of approximately \$7,000,000. These requests have come from Del Norte, Sonoma, Marin, San Mateo, Monterey, San Luis Obispo, Santa Barbara, Ventura, Los Angeles and San Diego. Your committee is informed by the Department of Beaches and Parks that in order to deal fairly with five counties, which up to this time, have not submitted completed master plans or revised their old plans in accordance with present law, a reserve of \$1,250,000 has been set aside to be distributed in the following counties to the extent of the money set opposite each county:

Humboldt -----	\$125,000
Mendocino -----	125,000
San Francisco -----	250,000
Santa Cruz -----	350,000
Orange -----	400,000

It is the opinion of your committee that part of its duties during the next biennium will be connected with assisting the department in working to influence the supervisors of these five counties to qualify under the \$10,000,000 act through the filing of proper master plans and generally

arousing public interest in the idea of acquiring privately owned beaches for public use.

Further describing the department's report, the Members of the Senate will find an appendix consisting of a series of maps of the 15 counties with legends along the shoreline revealing in each county the type of ownership and also the type of service to be rendered by the various priorities in beach frontage.

It has been agreed that when the department is satisfied that all of the counties have provided master plans as required under the act and have fulfilled other requirements, that a joint meeting will be held of the department heads at which will also be present, J. R. Knowland, Chairman of the Park Commission, General W. T. Hannum, the Director of the Department of Natural Resources and members of your committee, for the purpose of a general review of the situation and for the purpose of devising ways and means of further exploiting the idea laid out in the original act and the consideration of any new legislation that should be offered for further development of the plan.

Out of an original appropriation of \$7,500 for your committee, we have expended \$1,487.36. Most of this money was used to pay the cost of the printing of the Preliminary Master Plan of Shoreline Development prepared by Erosion Engineer, Colonel Kelton, above referred to in this report. This leaves a balance of \$6,012.64 unexpended. A reappropriation of \$2,500 of this amount has been granted by your favorable action on Senate Resolution No. 27 on January 15, 1947, for the use of your committee for a period which will expire at the commencement of the next regular session. Authority for the use of interim committee money for the publication of the Shoreline Development Report was obtained from the State Controller before the work was ordered.

SENATOR H. R. JUDAH, Chairman

SENATOR T. H. DELAP

SENATOR CHRIS JESPERSEN

SENATOR CLARENCE C. WARD

SENATOR EDWARD FLETCHER

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 132: By Senator DeLap—An act to amend Section 111 of the County Employees Retirement Act of 1937 and Section 31671 of the Government Code, relating to compulsory retirement, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 133: By Senators Slater, Quinn, Donnelly, and Sutton—An act to add Chapter 11, comprising Sections 9801 to 9809, inclusive, to Division 4 of Article 9.5, comprising Sections 7205 to 7207, inclusive, to Chapter 15 of Division 3 of, and Sections 5153.5, 7005, 7132, 7231, 7234, 12143, and 12144 to, the Education Code, relating to the education of mentally retarded minors as defined herein.

Referred to Committee on Education.

Senate Bill No. 134: By Senator Swing—An act to amend Section 2135, and to add Sections 2115.5, 2137.5, 2142.3, 2294 and Article 6.5 to Chapter 5, Division 2 of the Business and Professions Code, relating to the licensing and practice of naturopathic physicians.

Referred to Committee on Business and Professions.

Senate Bill No. 135: By Senator Tenney—An act to amend Section 19514 of the Business and Professions Code, relating to employees in the pari-mutuel departments of race tracks.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 136: By Senator Tenney—An act to amend Section 8522 of the Education Code, relating to diplomas for high school pupils.

Referred to Committee on Education.

Senate Bill No. 137: By Senator Tenney—An act to amend Section 10a of the Municipal Court Act of 1925, relating to clerks and attaches.

Referred to Committee on Judiciary.

Senate Bill No. 138: By Senator Tenney—An act to repeal Sections 131, 131.5, 132, and 133 of the Civil Code, and to add Sections 134 and 135 thereto, relating to decrees and judgments in actions for divorce, and abolishing the interlocutory decree.

Referred to Committee on Judiciary.

Senate Bill No. 139: By Senator Tenney—An act to amend Section 137 of the Civil Code, relating to payment of money as alimony, costs, or attorney's fees in actions concerning domestic relations.

Referred to Committee on Judiciary.

Senate Bill No. 140: By Senator Tenney—An act to add Section 87 to, and to amend Section 137.5 of, the Civil Code, relating to actions for annulment of marriage in respect to allowance of alimony, costs, and attorney's fees.

Referred to Committee on Judiciary.

Senate Bill No. 141: By Senator Tenney—An act to amend Section 1027 of the Penal Code, relating to pleas of insanity, appointment of alienists, expert evidence, and fees.

Referred to Committee on Judiciary.

Senate Bill No. 142: By Senator Tenney—An act to amend Section 10 of the Municipal Court Act of 1925, relating to the constitution of said court and the judges, clerks, marshals and attaches thereof.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 143: By Senator Rich—An act to add Section 3266 to the Civil Code, relating to the liability of banks for payment of forged, raised or unauthorized checks.

Referred to Committee on Judiciary.

Senate Bill No. 144: By Senator Dillinger—An act making an appropriation to the Division of Beaches and Parks for the acquisition

and development of the gold discovery site, declaring the urgency therefor, to take effect immediately.

Referred to Committee on Natural Resources.

Senate Bill No. 145: By Senator Tenney—An act to add Section 11045 to the Government Code, relating to legal representation of state agencies in workmen's compensation proceedings.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 146: By Senator Tenney—An act to amend Section 5803 of the Labor Code, relating to continuing jurisdiction of the Industrial Accident Commission under the Workmen's Compensation Act.

Referred to Committee on Labor.

Senate Bill No. 147: By Senator Tenney—An act to amend Section 18050 of the Government Code, relating to vacations.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 148: By Senator Tenney—An act to amend Sections 3212, 3212.5, and 4853 of the Labor Code, relating to Workmen's Compensation.

Referred to Committee on Labor.

Senate Concurrent Resolution No. 16: By Senator Rich—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 3 (Res. Ch. 20, 1945).

Referred to Committee on Rules.

ADJOURNMENT

At 10.55 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., Friday, January 17, 1947, out of respect to the memory of Dana Reid Weller.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

TENTH LEGISLATIVE DAY

TWELFTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, January 17, 1947

The Senate met at 10.30 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,
presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Desmond, Deuel,
Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Keating, Kraft, McCormack,
O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney,
Ward, Watson, and Weybret—29.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Hatfield, on motion of Senator Powers, due to illness.

Senator Hulse, on motion of Senator Powers, due to illness.

Senator Cunningham, on motion of Senator Powers, due to legisla-
tive business.Senator Williams, on motion of Senator Powers, due to legislative
business.Senator DeLap, on motion of Senator Powers, due to legislative
business.Senator Judah, on motion of Senator Powers, due to legislative
business.

Senator Brown, on motion of Senator Powers.

Senator Mayo, on motion of Senator Powers.

Senator McBride, on motion of Senator Powers.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. C. G. Kalts of Altadena.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Walter Hogan, City Manager of Stockton.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT FINNIE, Assistant Clerk

Above resolution ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Senator Powers asked for, and was granted, unanimous consent to have the following Report of the California Commission on Uniform State Laws printed in the Journal in 10-point type.

**REPORT OF THE CALIFORNIA COMMISSION ON
UNIFORM STATE LAWS—1945-1946****LETTER OF TRANSMITTAL**

CALIFORNIA COMMISSION ON UNIFORM STATE LAWS

Sacramento 2, January 14, 1947

Honorable Goodwin J. Knight

President of the Senate of California

State Capitol, Sacramento, California

MR. PRESIDENT: On behalf of the chairman and members of the commission, I transmit to you herewith the 1945-46 Biennial Report of the California Commission on Uniform State Laws.

The report has been executed in triplicate, and is being presented also to the Assembly, and to the Governor.

Very truly yours,

FRED B. WOOD, Member of Commission

**REPORT OF THE CALIFORNIA COMMISSION ON UNIFORM
STATE LAWS—1945-46**

*To the Honorable, the Governor, and Members of the
California State Legislature*

The California Commission on Uniform Laws begs to present the following report for the biennium 1945-1946.

There were two changes in the personnel of the commission. Mr. Martin J. Dinkelspiel of San Francisco was appointed a member in 1944 in the place of Mr. Maurice Saeta. Mr. Jefferson Davis of Los Angeles was appointed a member in 1945 in the place of Mr. Richard Olson of Los Angeles. Mr. Max Radin of Berkeley, California, was reappointed

a member in 1945. Mr. Fred Wood, Legislative Counsel, is by statute the fourth member of the board.

At a meeting held in San Francisco Mr. Radin was elected chairman, and Mr. Martin J. Dinkelspiel was elected secretary of the commission.

It will clarify an understanding of the work of the commission if something is said about its general function.

One of the earliest of the purposes of the American Bar Association, when it was established in 1878, was that of securing a larger measure of uniformity in those statutes of the various states which are likely to affect the citizens of other states. Commercial law was the obvious field in which this was the case, and certain branches of commercial law were those first considered. In all the stages of this movement toward uniformity, both when it was carried on through a committee of the Bar Association and after it was managed by a group of independent commissioners meeting at a conference—always held so far as possible in close association with the meeting of the American Bar Association—members of the California Bar took an active part.

The function of the Conference of Commissioners on Uniform Laws has broadened considerably. Many other fields besides those of commercial law have been considered and uniform laws on property, public law, social welfare, civil procedure, torts and criminal law and divorce have been approved and adopted in a number of states. But, true to its original function, the commissioners neither purpose nor desire any unification of the laws of the United States which will disregard completely the special circumstances and needs of individual states. With that in mind, a distinction has recently been made between uniform acts proper and "model acts." The latter are meant to indicate the general contents of legislation but not to require precise uniformity in all details or in wording.

Since the inception of the movement for uniform laws, and up to July 1, 1945, more than 50 uniform and model acts have been submitted to the states. Some have received so little acceptance that they have since been withdrawn. The great majority have been accepted in a substantial number of the 53 law making jurisdictions of the United States.

California has a high place among the states that have fostered and encouraged the need for uniformity of certain types of legislation. This State has passed 21 of the uniform acts including all the commercially important ones, i.e., the Negotiable Instruments Act, the Sales Act, the Partnership Act, the Fraudulent Conveyances Act, the Bills of Lading and the Warehouse Receipts Act. It is especially to be noted that California has passed most of the uniform laws adopted by the states of largest population and of greatest economic importance.

Section 18, b, of the constitution of the conference, makes it the duty of the commissioners

"To procure the enactment by the Legislature of the State of such acts recommended by the National Conference as are deemed by the commissioners suitable and practicable for enactment therein."

It may be said that no uniform act is hastily recommended by the conference. Every proposal must be approved by the executive committee and referred to the appropriate committee to be drafted. This is generally

done by a subcommittee of the larger committee. When the drafting committee is ready to report, the draft is considered paragraph by paragraph, and even word by word, by the entire conference sitting as a committee of the whole. These discussions in almost every instance result in substantial and sometimes far-reaching changes and amendments. The draft is then reconsidered by the subcommittee and presented in a revised form at the meeting of the conference in the next year. It is again discussed and often referred back to the drafting committee for further revision. In no case is a proposed act recommended for submission to the state legislatures unless it has been approved in at least two successive annual meetings of the conference.

Even then, as the section quoted indicates, it rests with the state commissioners to determine whether it is "suitable and practicable for enactment" in any state.

The California Commission has taken this proviso seriously. It has made it a matter of policy at no time to recommend more than a few acts to the Legislature. And it has felt that it would most successfully perform its duty if it consulted in advance with the various organizations and agencies of the State which may be said to have a special concern either with the general problem or with the special field covered by any act.

To that end, members of the California Commission have by invitation attended meetings of the Commission on Interstate Cooperation. At the last meeting of that commission on November 20, 1946, at the Clift Hotel in San Francisco, Commissioners Radin, Dinkelspiel and Wood attended and discussed the general work of the commission and the program for uniform legislation to be submitted to the next session of the Legislature.

Similarly the commission acts in close cooperation with the State Bar. The commission has invited representatives of the State Bar committees, interested in the subject matter of any proposed uniform act, to meet with the commission and discuss the act with them. The commission will, of course, take careful note of any comment or criticism by members of the bar, so that whatever is proposed may have the support of the profession.

In the case of such matters as veterans' guardianship, the advice and approval of the United States Veterans' Administration was sought and obtained.

In the 1945 Session of the Legislature, the commission proposed the Revised Veterans' Guardianship Act. A special report on the changes this would entail was prepared by Commissioner Dinkelspiel and submitted to the legislative committees and the Governor. Commissioner Dinkelspiel personally appeared before the committees of the Legislature to explain whatever questions remained. The bill, Assembly Bill 1524, was introduced and supported by Assemblymen Wollenberg, Call and George D. Collins, Jr. It was passed by both houses and signed by the Governor on July 16, 1945.

Another act presented to the Legislature was the Uniform Simultaneous Death Statute. Commissioner Radin prepared the statement for the Legislature and the Governor of the reasons for seeking to amend the existing California law on the subject. The bill (Assembly Bill 866) was introduced by Assemblymen Wollenberg and George D. Collins, Jr. It was duly passed and signed by the Governor on June 23, 1945.

The commission wishes to take this opportunity to thank Assemblymen Wollenberg, George D. Collins, Jr., and Call for their able and sympathetic aid to the work of the commission. Assemblyman Wollenberg met with the commission on several occasions to discuss the proposed bills.

Because travel conditions had improved all the commissioners attended the conference of commissioners held at Philadelphia, October 21-26, and took an active part in the discussion of the drafts presented to the conference. The entire commission had a special meeting at Philadelphia on October 24, 1946, and it was unanimously decided to present to the Legislative Session of 1947, the following three acts, which have been duly approved for this purpose by the conference:

1. Uniform Unauthorized Insurers Act.
2. Uniform Vendor and Purchaser Risk Act.
3. Uniform Contribution Among Tort Feasors Act.

This program was presented to the Commission on Interstate Cooperation at its meeting on November 20th, already referred to.

Secretary Dinkelspiel was instructed to communicate in regard to all these acts with the State Bar. He did so in a letter to the Secretary of the State Bar, dated November 27, 1946, in which he invited the chairmen of the respective committees of the State Bar to meet with the commission at their convenience to discuss the proposed legislation.

Similarly Secretary Dinkelspiel addressed a similar invitation to Insurance Commissioner Maynard Garrison and others to discuss with the commission both the Uniform Unauthorized Insurers Act and the Uniform Contribution Among Tort Feasors Act.

Representatives of the San Francisco Real Estate Board have been invited to discuss the Uniform Vendor and Purchaser Risk Act and the Title Insurance Companies Association was likewise informed of the contents of this act.

In all cases, copies of the proposed uniform acts were sent to the gentlemen named.

We hope in this way to obtain the best expert advice on how these acts would affect business and the law in this State and to obtain from those best fitted to give it, such a presentation of the need for this legislation which will most effectively secure its adoption.

Respectfully submitted.

CALIFORNIA COMMISSION ON UNIFORM STATE LAWS

FRED B. WOOD
W. JEFFERSON DAVIS
MARTIN J. DINKELSPIEL
MAX RADIN, Chairman

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 17, 1947

MR. PRESIDENT: The Committee on Rules has appointed Senator Kraft to serve as a member of the Shoreline Development and Beach Erosion Committee, to fill the vacancy of former Senator Fletcher.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 17, 1947

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 15

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 16, 1947

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 7--Relative to a study by the Judicial Council of the administration of justice in the inferior courts in California;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventeenth day of January, 1947, at 11 a.m.

POWERS, Chairman

MOTION TO PRINT REPORT

Senator Swing moved that the Partial Report of the Senate Committee on Fish and Game be printed in the Journal, and 300 additional copies of the report be printed in 10-point type.

Motion carried.

**PARTIAL REPORT OF THE SENATE COMMITTEE ON FISH
AND GAME (SENATE RESOLUTION NO. 123)**

To the Senate of the State of California

January 16, 1947

California, in a state of nature, was one of the greatest sanctuaries of the Western Hemisphere for feathered *vertebrate* and animals *ferae naturae*. Its wild life resources were unlimited. Birds flocked and animals roamed at will throughout its valleys, deserts and mountains. Fish of various kinds were abundant in its brooks, streams, and rivers. With a seacoast extending from San Diego to Eureka, its variable topography, variety of trees and verdure made it a natural haven for wild life of all kinds.

To the early settler, it was indeed a paradise and a veritable land of milk and honey.

The influx of people, the advance of civilization and the encroachment of industry has made such inroads on our wild life and their places of natural retreat that unless drastic action be soon taken to conserve the remnants of the various species of our wild life, it will soon approach extinction.

Our natural resources, once so extensive and available for human recreation and enjoyment, are likewise bowing to the woodsman's axe and, not only the habitats of the game birds and wild animals are being invaded, but the great recreational areas throughout our public domain, once free to all, are now rapidly passing into private ownership and the great western frontier, with its once wide open spaces and freedom of movement, are becoming fenced estates of the land barons, to which entrance is prevented by barbed barriers and "no trespassing" signs.

These facts are self evident. They are the natural result of advancing civilization and the conversion of a wilderness into a land for human habitation.

Nothing can nor should be done to restore conditions as they were, but much can be done that will aid in the propagation and conservation of our wild life and provide numerous recreational areas throughout the State for the use and convenience of our public. Until recently, public

attention has been directed principally to the acquisition of beaches and of our redwoods, but little has been done in the way of providing controlled areas suitable for the preservation of wild life and for the use and benefit of that part of the public which prefers the wide open spaces to congested beaches and the restricted use of our public parks.

Fishing and hunting go hand in hand with recreation. Without adequate recreation, the human race would soon deteriorate in mind and body and our people would become an unhappy and quarrelsome race. The opportunity to hunt and fish is the incentive for a free people to leave their usual walks in life and go forth into the hills, the mountains and the deserts in quest of the ever elusive game. At such times a man forgets he is a laborer, a lawyer, a doctor or a tired businessman and reverts to his cave-man instinct and pits his cunning against the alertness of his quarry. The innate desire for adventure in the youth is to a large extent satisfied if he has the privilege of going forth with a gun or his rod into the wild in search of fish or game, or to explore the unknown.

Lack of recreation for the present oncoming generation has had a marked effect upon the home life of the teen-age youngsters, whose desire for adventure is circumscribed by metropolitan development and the conversion of our uplands and natural resources into cultivated fields and gardens, leaving few accessible areas where he may roam at will and do as he pleases.

Your committee, whose studies and activities were limited to the southern part of the State, made a thorough investigation of the needs for fish and game and of wild life, and the possibilities of providing ways, means and methods of making use of our public domain and our natural resources for that purpose. This involves two separate and distinct phases of the problem; i.e., the available streams and lakes for fish and the suitability and availability of our public domain and landed areas for the production of wild life and that will provide opportunities for recreation. The committee made an effort to determine the available stream mileage within the southern counties which could be utilized for stocking. These studies were directed principally to the Counties of Los Angeles, San Bernardino, Riverside, Orange, San Diego and Imperial. Some consideration was given to Kern County and to Inyo County.

The Kern County Chamber of Commerce simplified our duties by presenting a very complete and detailed report on conditions within that county. The work of bringing to the attention of the Fish and Game Commission of the needs of that county is well taken care of by the Kern County Chamber of Commerce and the sportsmen of that area.

Inyo County offers perhaps the greatest opportunities for fishing and likewise for production of fish of any of the southern counties. It has many excellent streams, a steady flow of water and suitable conditions for hatcheries and rearing ponds. The extent to which this region may be exploited for that purpose has not yet fully been determined.

The opportunities for suitable hatcheries in other parts of the southern counties are very limited. This is due to the fact that practically all of the natural streams have been appropriated and are used for either domestic or agricultural purposes, so that few, if any, of these streams can be successfully used, either for hatcheries or for rearing ponds. The committee has approved and the commission is now experimenting with two locations; one at Whittier in Los Angeles County, and the other at

Victorville in San Bernardino County, where the water is produced by pumps rather than by gravity. The final determination of the desirability of these sites and this manner of raising fish will depend upon the outcome of these experiments now being made.

The committee caused the various streams to be measured, their fluctuations considered, and determined the stream mileage in the various counties to be substantially as follows:

**TROUT WATERS OF FOUR SOUTHERN CALIFORNIA COUNTIES
AND NUMBER OF FISHING LICENSES ISSUED**

County	Stream mileage	<i>Angling licenses issued</i>	
		<i>July 1st to June 30th</i>	
		<i>1944-1945</i>	<i>1945-1946</i>
Los Angeles.....	114 miles	102,859	140,485
Orange	68 miles, 43 checks	9,579	16,975
Riverside	80 miles, 23 checks	6,488	7,745
San Bernardino.....	193 miles, 127 checks	21,628	24,902

Some of these streams will require check dams and some considerable work in order that they may be used to their fullest capacity. Although we have approximated the stream work necessary, we have not endeavored to set forth where checking is necessary, nor an estimate of cost.

In addition to these streams, we have a number of lakes including Big Bear Lake, Arrowhead Lake, Hemet Lake and quite a number of other smaller bodies of water suitable for stocking.

From the foregoing, it will appear that the cow counties furnish most of the streams and lakes, and the metropolitan district, most of the fishermen.

The number of fish which these waters will carry will depend largely upon the nature of the work which is done upon the streams, and the manner in which the streams and the lakes are stocked, as well as the size of the fish used for stocking. It is our belief that the streams and lakes within the counties above mentioned, if improved as hereinbefore suggested and if properly and periodically stocked, will furnish fishing opportunities for the rapid growing population of Southern California.

At the present time, the available hatcheries and rearing ponds now operated by the State are inadequate to supply the fish which will be necessary, if these lakes and streams are to provide the fishing requirements now demanded by the population within that area. We do not advocate a stocking which will insure that every fisherman will catch a limit on every occasion, but we do advocate that the streams and lakes be exploited to their fullest capacity so that at least an opportunity to catch a few fish shall be afforded every sportsman who wishes to indulge in that recreation. Just what number of fish will be required to accomplish this, we are not now in a position to state, but we do know that it will require the development and operation of every hatchery site in the southern part of the State which may be reasonably adapted to that purpose.

With an adequate appropriation and an augmented personnel, the Fish and Game Commission should be able to do this work within a comparatively short time, if not too badly hamstrung by the red tape regulations of the Department of Finance and the Division of Architecture.

RESTORATION OF WILD LIFE

Restoration of wild life in the southern counties has unlimited possibilities. The counties which offer the greatest opportunity for that purpose are Inyo, Los Angeles, San Bernardino, Riverside, Imperial and, to some extent, San Diego. The area of these counties and the public lands available are as follows :

<i>County</i>	<i>Total area in acres</i>	<i>Area of public domain</i>
Inyo -----	6,458,240	2,893,946
Los Angeles -----	2,605,440	24,171
San Bernardino -----	12,883,840	8,248,294
Riverside -----	4,594,560	1,068,397
Imperial -----	2,741,760	589,616
San Diego -----	2,725,170	121,774

These figures do not include national forests, national parks, Indian land or military reserves. As of September, 1943, the Federal Government owned and controlled 86.37 percent of all the lands within Inyo County; 24.03 percent of the lands in Imperial County; 71.54 percent of the lands in San Bernardino County; 45.35 percent of the lands in Riverside County.

The hunting licenses issued in the four southern counties are as follows :

	<i>July 1st to June 30th 1944-1945</i>	<i>July 1st to June 30th 1945-1946</i>
Los Angeles -----	45,731	65,708
Orange -----	3,988	4,833
Riverside -----	4,755	6,085
San Bernardino -----	5,940	8,192

Again we find that the metropolitan areas furnish the hunters but the cow counties must provide the game.

During the war period, several millions of troops were trained and housed in the public domain in these counties. As a protection to the health of these troops, wild life in every form was eradicated, and the springs and water holes were filled and sealed. Brush and cover, once the protection of upland birds and animals, was, insofar as possible, eradicated and destroyed and this great area, comprising upwards of 12,000,000 acres of land within the Counties of Imperial, Riverside, San Bernardino and Inyo, was left barren of all signs of wild life insofar as it could be humanly eradicated. It will be a Herculean task to restore these springs and water holes, and to make available water for the use of upland birds and animals which once inhabited that territory.

The reclaiming of the public domain in these counties is further complicated by the action of the Army and Navy in selecting and condemning large areas of land particularly adaptable to wild life, which areas are to be set apart as gunnery ranges, bombing areas and so-called danger areas. These proposed areas are located in Imperial, Riverside and San Bernardino Counties. The extent to which the Army and Navy propose to go, in taking over these areas, has not yet been determined, but we do know that already several hundred thousand acres of the

public domain, which would otherwise be available for wild life and for hunting, are now under the control of the Army and the Navy, and entrance thereto by the public is prohibited.

Not only does the action of the Army and Navy, in so taking over these large tracts of land, circumscribe and limit recreational possibilities, but makes it impossible to carry on any program of wild life development within the territory thus being claimed as necessary for national defense.

Notwithstanding that these bombing areas are eliminated from our wild life development program, there is, nevertheless, ample territory available to initiate the work and keep the program going for quite a number of years to come.

The work necessary to restore this great natural habitat of wild game is the development of water, the improvement of springs and the installation of a new type of water catchment basins, which has been approved by the Fish and Game Commission. The program of installing these water catchment basins for the next two years will be outlined in the budget requests of the Fish and Game Commission and should receive our unanimous support.

If the program of restoring these great areas to a suitable condition and the planting of wild life in such parts thereof as are fit for that purpose is carried to completion, we have every reason to believe that the public domain within the counties heretofore referred to will furnish ample public shooting grounds for upland birds to afford the sportsmen of Southern California reasonable opportunity for sport with the possibility of getting some game.

Not only is water necessary to maintain wild life, but food and cover are also essential. Investigation has shown that large parts of the public domain will furnish food and coverage for wild life with the expenditure of a little effort in the replanting and reseedling of food producing grasses and shrubs adaptable to that area.

Too much emphasis cannot be placed on the necessity for the immediate selection and reservation of every area on the public domain which will sustain wild life. Also, immediate action is necessary to prevent the further private appropriation of springs and water holes throughout the public domain which are or may be necessary to support wild life in that region.

All water within this State has been declared to be owned by the State and, so far as not already appropriated for private use, these waters should be reserved for wild life, otherwise the program for stocking this area will fail.

For years our natural resources throughout the Nation have been exploited without regard to the effect upon game conservation or wild life. Our wild life has been more recklessly neglected and destroyed than any of our natural resources. The marked increase in hunters and fishermen threatens most game birds and animals with extinction.

Experience has shown that under proper conditions, wild life will reproduce itself and the forest and open space will become repopulated if the birds and animals are but given some protection and an equal opportunity. This will not be accomplished simply by the planting of birds, unless there is water, feed and covering available. Some protection

must also be afforded them if they are to respond to their natural instincts to survive and multiply.

Real conservation of wild life means restoring to the highest possible level and maintaining in a state of high productivity those areas that can be most successfully used to sustain wild life when it is once restored.

No program for the revival of wild life in California can be successfully carried on without coupling with it, and making an inseparable part of such program the preservation of water, forests and large areas of our public domain suitable for that purpose. With feed, water and cover, the California quail, the pheasant, and all upland birds will soon repopulate themselves if they are protected from predatory animals and the unsympathetic hunter.

The experience of "Ducks, Unlimited" has shown that the restoration of water refuge areas and marshes on the breeding grounds and along the flyways has done far more toward restoration than the shortening of seasons and limiting the kill.

The matter of policing, the establishment of seasons, bag limits and regulatory measures should be vested in the Fish and Game Commission; but the program for the future is a matter strictly within the legislative province.

From what we have heretofore said, it is apparent that a fairly satisfactory program for fish hatcheries, rearing ponds, the restocking of streams and lakes is well under way. The check-damming of streams and the making available of water not now used, will require appropriations of money not now available to the commission. These appropriations should be provided by this Legislature so as not to further delay this important work.

The restoration of our wild life in our open spaces is still discussed in generalities. This program must become definite. In order to carry it into effect and make available all possible recreational areas, a substantial sum of money should be earmarked and set aside for that purpose. It is only when the money is definitely allocated that progress with certainty can be made.

In considering this problem, your committee feels constrained to recommend that the amount of money made available for the wild life program be sufficient to permit the acquisition of a number of large areas of land which can serve the dual purpose of wild life sanctuaries and recreational areas for the public. There will be introduced for consideration by the Legislature, a number of bills for the carrying into effect the various recommendations herein suggested. As and when these bills are brought up for consideration, your attention will be directed to them with the hope of enlisting the unanimous support for a program so essential to California's future welfare.

Inasmuch as the work which we have suggested will extend over a period of years, it is our intention to suggest to you the continuation of a committee whose functions will be to aid in mapping a wild life reproduction program as well as the acquisition of the recreational areas, and of doing such other things as may be necessary to expeditiously get the wild life conservation started and carried into completion.

Our studies have not included migratory birds under the control of the Federal Government. At one time there were many duck breeding

grounds within this State. These have either been destroyed or deserted by the duck. Whatever can be done to restore these marsh areas for the protection of the duck should be done, and the acquisition of such areas should become a part of the state program of wild life conservation.

We also recognize the necessity of establishing resting ponds and protected areas along the flyways throughout the State, so that ducks will not be diverted from their established course, but will be encouraged to continue their accustomed flight ways, with some assurance that they may travel from their nesting grounds to the warmer waters of the South and, at least some, again return to the nesting region.

It is our hope to make other constructive recommendations before the session closes. In the meantime, we will cause legislation to be prepared to carry out such of the foregoing program as present conditions seem to justify.

Respectfully,

RALPH E. SWING, Chairman
CHARLES BROWN
NELSON S. DILWORTH
Committee

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 149: By Senator Williams—An act to amend Sections 2616 and 2627 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 150: By Senator Williams—An act to amend Sections 2801, 2802, 2803, 2804, 2805, 2807.3, and 2808 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 151: By Senator Williams—An act to amend Sections 3490, 3492, 3493, 3494, 3495, and 3511.4 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 152: By Senator Tenney—An act to amend Sections 102, 108, and 128 of, to add Division 2A, comprising Sections 139 to 139.71, inclusive, to, and to repeal Sections 111, 113, 116, 117, 119, 120, 121, 122, 123, 124, 124.1, 125, 126, 135, 135.5, 135.8, 484, 485, 486, 487, 488, 488.5, and 489 of, the Vehicle Code, providing for the reorganization of the California Highway Patrol, abolishing the Division of Enforcement of the Department of Motor Vehicles, establishing a Department of Highway Patrol and Safety and prescribing its powers, duties, purposes, and functions, providing for the transfer of records and property; and to make available money for the support of said department.

Referred to Committee on Transportation.

Senate Bill No. 153: By Senator Powers—An act to amend Sections 6901, 6902, and 6903, of the Labor Code, relating to operation personnel of railroads.

Referred to Committee on Labor.

Senate Bill No. 154: By Senator Powers—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Referred to Committee on Rules.

Senate Bill No. 155: By Senator Powers—An act making an appropriation for mileage of the members and officers of the Senate, without regard to fiscal years, to take effect immediately.

Referred to Committee on Rules.

Senate Bill No. 156: By Senator Kraft—An act to amend Section 9300 of the Government Code, relating to the payment of salaries of the Members of the Legislature.

Referred to Committee on Rules.

Senate Bill No. 157: By Senator Williams—An act to amend Section 157 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 158: By Senator Judah—An act to amend Section 7351 of the Revenue and Taxation Code, relating to the rates of tax on the distribution of motor vehicle fuel.

Referred to Committee on Transportation.

Senate Bill No. 159: By Senator DeLap—An act to amend Section 1010 of the Fish and Game Code, relating to fish packing and reduction licenses.

Referred to Committee on Fish and Game.

Senate Bill No. 160: By Senator DeLap—An act to amend Section 1068 of the Fish and Game Code, relating to fish reduction permits.

Referred to Committee on Fish and Game.

Senate Bill No. 161: By Senators Quinn, Dilworth, DeLap, Hatfield, Tenney, Sutton, Busch, Slater, and Crittenden—An act to add Article 6, comprising Sections 995 to 996.3, inclusive, to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, for the single object of creating a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943; defining the powers and duties of the Veterans' Finance Committee of 1943 and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of

advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1948.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 162: By Senators Quinn, Dilworth, DeLap, Hatfield, Tenney, Sutton, Busch, Slater, and Crittenden—An act to amend Section 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 163: By Senators Quinn, Ward, Dilworth, DeLap, Hatfield, Tenney, Sutton, Busch, Slater, and Crittenden—An act to amend Sections 890 and 891 of the Military and Veterans Code, relating to veterans' dependents.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 164: By Senators Quinn, Dilworth, DeLap, Hatfield, Tenney, Sutton, Busch, Slater and Crittenden—An act to amend Section 980 of the Military and Veterans Code, relating to the purchases of farms and homes by veterans of World War II.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 165: By Senators Quinn, Dilworth, DeLap, Hatfield, Tenney, Sutton, Busch, Slater, and Crittenden—An act making an appropriation for the construction of one or more armories for the California National Guard.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 166: By Senator Tenney—An act to amend the heading of Article 2 of Chapter 1 of Part 1 of Division 6 of the Welfare and Institutions Code, to amend Sections 5025, 5026, 5027, 5028, 5029, 5076, and 5078 thereof, and to add Section 5030 thereto, relating to psychopathic probation officers and their powers and duties in respect to the mentally ill and mentally disordered, and designating such officials as supervisors in the Mental Health Department, and the probation of the mentally ill or disordered as supervision thereof.

Referred to Committee on Local Government.

Senate Bill No. 167: By Senator Tenney—An act to amend Section 208 of the Unemployment Insurance Act, relating to disability benefits.

Referred to Committee on Labor.

Senate Bill No. 168: By Senator Tenney—An act to amend Section 204 of the Unemployment Insurance Act, relating to disability benefits.

Referred to Committee on Labor.

Senate Bill No. 169: By Senator Tenney—An act to appropriate the sum of \$----- from the general funds of the State of California not otherwise appropriated for the purpose of carrying on medical research into the causes and cure of industrial accidents and diseases.

Referred to Committee on Finance.

Senate Bill No. 170: By Senator Tenney—An act to add Section 13.1 to the County Waterworks District Act, relating to county waterworks districts.

Referred to Committee on Local Government.

Senate Bill No. 171: By Senator Tenney—An act to amend Sections 4105, 4135, 4136, 4138, and 4139 of the Health and Safety Code, relating to garbage disposal districts.

Referred to Committee on Public Health and Safety.

Senate Bill No. 172: By Senator Tenney—An act amending the title and Sections 1, 2, 3, 4, and 5 of, and adding Section 1.5 and 7 to, an act entitled "An act authorizing and empowering any city, city and county, county or subdivision of the State of California, to park, and to permit the parking of, vehicles on real property belonging to, or in the possession of, or subject to an easement of, such city, city and county, county or subdivision of the State to lease or grant franchises in real property for such purpose and to construct, and maintain land and buildings for such purpose," approved May 24, 1927, relating to the parking of motor vehicles.

Referred to Committee on Local Government.

Senate Bill No. 173: By Senator Tenney—An act amending the title and Sections 1, 4, 6, 44, 46, and 52 of, and adding Sections 2.1, 2.2, 2.3, 2.4, 2.6, and 2.8 to, the Vehicle Parking District Act of 1943, relating to parking districts and providing that such parking districts may be formed in the unincorporated territory, incorporated territory, or may include both.

Referred to Committee on Local Government.

Senate Bill No. 174: By Senator Tenney—An act to amend the Welfare and Institutions Code by adding thereto Sections 5181.5 and 5185.1 and to amend Sections 5047 and 5185 thereof, relating to public guardians.

Referred to Committee on Social Welfare.

Senate Bill No. 175: By Senator Tenney—An act creating the Indoor Recreation Commission, providing for the licensing of mechanical amusement devices and vending machines and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 176: By Senators DeLap, Dillinger, Breed, and Ward—An act to amend Section 7.5 of the Bank and Corporation Franchise Tax Act, Section 5.5 of the Corporation Income Tax Act, and Sections 6051, 6201, 17053.5, 19200, 19201.5, 19202, 19203.5, 19204.5, and 19205.5 of the Revenue and Taxation Code, relating to state taxation and providing for rates and exemptions, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 177: By Senators DeLap, Dillinger, and Williams—an act to provide for a Commission for the Investigation and Study of State and Local Taxation, defining its powers and duties, and making an appropriation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 178: By Senator Cunningham—An act to amend Sections 80 and 92 of the Agricultural Code, relating to agricultural districts and district agricultural fairs.

Referred to Committee on Agriculture.

Senate Bill No. 179: By Senator Tenney—An act to add Section 122.5 to the Labor Code, relating to medical assistance of the Industrial Accident Commission under the Workmen's Compensation Act.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 180: By Senator Sutton—An act to amend Sections 542, 542a, and 559 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Referred to Committee on Judiciary.

Senate Bill No. 181: By Senator Quinn—An act to amend Section 215 of the Revenue and Taxation Code, relating to veterans organizations.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 182: By Senator Quinn—An act to amend Section 482 of the Fish and Game Code, relating to pollution of waters.

Referred to Committee on Fish and Game.

Senate Bill No. 183: By Senator Busch—An act to amend Section 19.6 of the Fish and Game Code, relating to the general regulatory powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Senate Bill No. 184: By Senator Busch—An act to amend Section 4280 of the Political Code and Section 28151 of the Government Code, relating to compensation for public services in counties of the fifty-first class.

Referred to Committee on Local Government.

Senate Bill No. 185: By Senator Dillinger—An act to amend Sections 2453, 2454, 2600, 2621, 2626, 2627, 2628, 2629, 2633, 2670, 2742, 2840, 2841, 2893, 2897, and the article heading of Article 4 of Chapter 2 of Division 5, and to repeal Sections 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2622, 2623, 2624, 2625, 2630, 2631, and 2632 of the Elections Code, relating to sponsor certificates and verification deputies.

Referred to Committee on Elections.

Senate Bill No. 186: By Senator Dillinger—An act to add Section 1273 to the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Senate Bill No. 187: By Senator Dillinger—An act to amend Sections 1191 and 1449 of the Penal Code, relating to extension of time for pronouncement of judgment.

Referred to Committee on Judiciary.

Senate Bill No. 188: By Senator Dillinger—An act to amend Section 10501 of the Elections Code, relating to elections to fill vacancies in the office of United States Senator.

Referred to Committee on Elections.

Senate Bill No. 189: By Senator Dillinger—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Referred to Committee on Labor.

Senate Bill No. 190: By Senator Donnelly—An act to amend Sections 2011, 2160, and 2181 of the Welfare and Institutions Code, to repeal Sections 2181.01 and 2224 of said code, to amend Sections 206 of the Civil Code, and to amend Section 270c of the Penal Code, relating to aid to the aged and liability of relatives.

Referred to Committee on Social Welfare.

Senate Bill No. 191: By Senator Powers—An act to amend Section 963 of the Agricultural Code, relating to seed potato test plats, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 192: By Senator Donnelly—An act to amend Section 2016 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Senate Bill No. 193: By Senator Donnelly—An act to add Section 19 to the Welfare and Institutions Code, declaring the legislative intent in respect to the purposes of the Welfare and Institutions Code.

Referred to Committee on Social Welfare.

Senate Bill No. 194: By Senator Donnelly—An act to amend Section 86 of the Agricultural Code, relating to the powers of district agricultural associations.

Referred to Committee on Agriculture.

Senate Bill No. 195: By Senators Quinn and Dilworth—An act to add Sections 820.5 and 987.01 to the Military and Veterans Code, relating to the rate of interest on veterans' farm and home purchases.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 196: By Senator O'Gara—An act to add Sections 261c and 261d to the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Referred to Committee on Local Government.

Senate Bill No. 197: By Senator Gordon—An act to amend Section 4704 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Public Health and Safety.

Senate Bill No. 198: By Senator Ward—An act to amend Section 1538.5 of the Probate Code, relating to leases by guardians.

Referred to Committee on Judiciary.

Senate Bill No. 199: By Senator Ward—An act to add Section 2271 to the Civil Code, relating to powers and discretions of a successor trustee.

Referred to Committee on Judiciary.

Senate Bill No. 200: By Senator Dilworth—An act to add Section 171e to the Civil Code, relating to the management and control of community property.

Referred to Committee on Judiciary.

Senate Joint Resolution No. 3: By Senators Quinn, Dilworth, DeLap, Weybret, Tenney, Sutton, Busch, Slater, and Crittenden—Relative to memorializing Congress to increase federal aid to the Veterans' Home of California, at Yountville.

Referred to Committee on Military and Veterans Affairs.

Senator Clarence C. Ward Presiding

At 10.50 a.m., Senator Clarence C. Ward of the Thirty-first District, presiding.

RESOLUTIONS

The following resolution was offered:

By Senators Tenney and Hatfield:

Senate Resolution No. 31

Relative to congratulating Senator Ralph E. Swing upon his marriage

WHEREAS, For many years this Senate has been graced by a redoubtable figure with whom we have all become familiar, a man undaunted in debate, unperturbed in committee, imperial before delegations; and

WHEREAS, From out the south, that land of languor, of glamorous women and golden orange shows, there comes the news that Ralph Swing has wed; and

WHEREAS, The Members of this Senate take pleasure in the knowledge that this mighty parliamentarian, who has been wont to set neophytes atremble and the seasoned warrior to prodigious effort, has been put to rout by a small boy armed only with the golden arrow of love; now, therefore, be it

Resolved by the Senate of the State of California, That the Members of this Senate extend to Senator Ralph E. Swing hearty congratulations upon his marriage; and be it further

Resolved, That the Secretary of the Senate is requested to transmit a suitably prepared copy of this resolution to Senator Swing and his charming wife as an expression of the felicitations and good wishes of the Members of this Senate.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—29.

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to have the following Report of the Joint Legislative Committee on Pre-School Training printed in the Journal in 10 point type:

**REPORT OF THE JOINT LEGISLATIVE COMMITTEE
ON PRE-SCHOOL TRAINING**

Mr. President, Mr. Speaker, and Members of the Legislature:

Your Committee on Pre-School and Primary Training herewith files its preliminary report in conformity with the provisions set forth in Assembly Concurrent Resolution No. 3 (First Extraordinary Session, 1946) by which the committee was created.

This committee has had four public hearings at Los Angeles, Berkeley, San Diego and San Francisco, and received the testimony of educators, school administrators and other persons interested in the subject of free schools and primary training. The proceedings of such hearings have been transcribed.

This committee has also engaged the services of a director of research, secretary and counsel. Data has been assembled by the director of research.

This data has been completed and is now in process of being prepared for presentation to the Legislature, and this information is referred to in this report.

The committee will report its conclusions and recommendations at a later date.

Respectfully submitted.

JACK B. TENNEY, Vice Chairman

Senate Members

CHARLES H. DEUEL
CHRIS N. JESPERSEN
ARTHUR H. BREED, JR.
EARL D. DESMOND

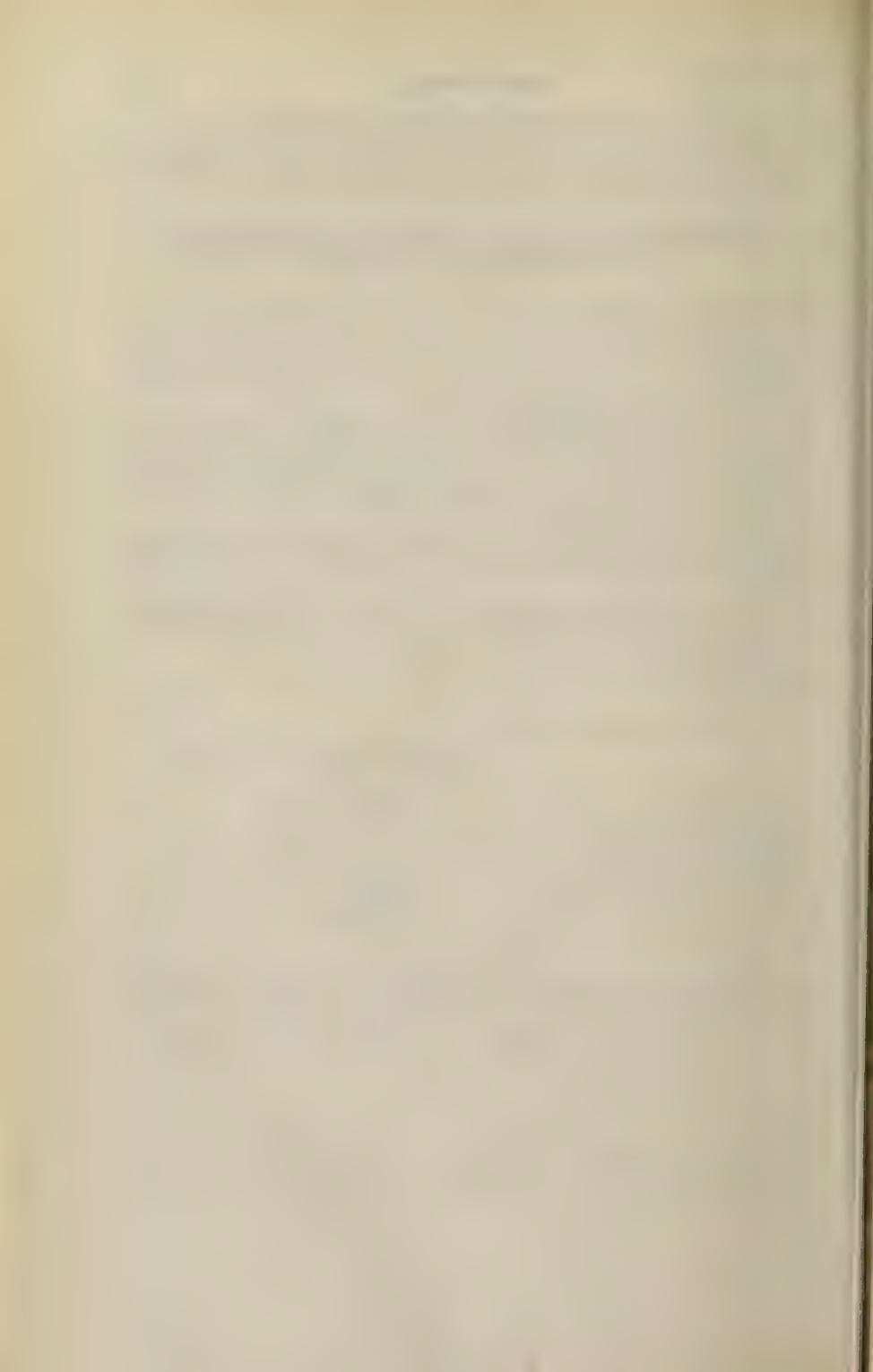
Assembly Members

M. PHILIP DAVIS
ERNEST DEBS
FRANCIS DUNN
GARDINER JOHNSON
ERNEST GEDDES

ADJOURNMENT

At 11 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 11 a.m., Monday, January 20, 1947.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY

FIFTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, January 20, 1947

The Senate met at 11 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,
presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Burns, Carter, Collier, Crittenden, Cunningham, Desmond,
Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating,
Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney,
Ward, Watson, Weybret, and Williams—30.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Hulse, on motion of Senator Powers, due to illness.

Senator DeLap, on motion of Senator Powers, due to legislative busi-
ness.Senator Parkman, on motion of Senator Powers, due to legislative
business.

Senator Salsman, on motion of Senator Powers, due to illness.

Senator Brown, on motion of Senator Powers.

Senator McBride, on motion of Senator Powers.

Senator Mayo, on motion of Senator Powers.

Senator Busch, on motion of Senator Powers, due to legislative
business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Alice Field, Director of the Department of Studio and Public Service Motion Picture Association, Hollywood.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Lloyd Crocker, Mr. M. Tessler, Mr. Will Breitbard, Mr. Glenn A. Rick, Mr. Morey Levenson, and Mr. Neal D. Smith, all of San Diego; Mr. E. A. De Pier of Los Angeles, and Mr. George M. Shepherd of San Jose.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 27

Assembly Concurrent Resolution No. 23

Assembly Concurrent Resolution No. 10

Assembly Joint Resolution No. 9

ARTHUR A. OJINIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Concurrent Resolution No. 23--Relative to expenditures for capital outlay, State Division of Beaches and Parks.

Referred to Committee on Natural Resources.

Assembly Concurrent Resolution No. 10--Relative to continuance of the Joint Interim Committee on Aviation created by Resolutions Chapter 62 of the 1946 (First) Special Session.

Referred to Committee on Transportation.

Assembly Joint Resolution No. 9--Relative to memorializing Congress concerning appropriations for forest conservation.

Referred to Committee on Natural Resources.

Assembly Concurrent Resolution No. 27--Relative to the approval of the charter of the City of Culver City, a municipal corporation, in the County of Los Angeles, State of California, as voted for and ratified by the electors of the City of Culver City, at an election held therein on the seventh day of January, 1947.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 27, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 27

Assembly Concurrent Resolution No. 27--Relative to the approval of the charter of the City of Culver City, a municipal corporation, in the County of Los Angeles, State of California, as voted for and ratified by the electors of the City of Culver City, at an election held therein on the seventh day of January, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Collier, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, O'Gara, Powers, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 90

Assembly Bill No. 360

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 90—An act to amend Section 18059 of the Education Code, relating to the letting of contracts, extending the period within which the section is to remain in effect, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 360—An act making an appropriation for the support of child care centers, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 10

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 10—Relative to an airport for the City of Hayward.

Referred to Committee on Local Government.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Concurrent Resolution No. 13

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

Above resolution ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 11
Senate Concurrent Resolution No. 15

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

Senator Chris N. Jespersen Presiding

At 11.14 a.m., Senator Chris N. Jespersen of the Twenty-ninth District, presiding.

RESOLUTIONS

The following resolution was offered:

By Senator Judah:

Senate Resolution No. 32

Relative to the report of the Senate Interim Committee on a State Training School for Boys and for Girls

Resolved by the Senate of the State of California. That, because of the illness of Senator Dorsey, Chairman of the Senate Interim Committee on a State Training School for Boys and for Girls, the time for filing the report of said committee is extended to the last day of this regular session.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, O'Garra, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 17, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 1—Memorializing the President and the Congress of the United States in relation to providing funds to complete the Veterans Temporary Emergency Housing Program;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventeenth day of January, 1947, at 11.30 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 20, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 14

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 3; absent 2.

POWERS, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Powers asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 14, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 14

Senate Concurrent Resolution No. 14—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, McCormack, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

RESOLUTIONS

The following resolution was offered:

By Senators Carter, Gordon, and Dillinger:

Senate Resolution No. 33

Relating to continuing in existence the Senate Forestry Study Committee

WHEREAS, The Senate Forestry Study Committee was created by Senate Resolution No. 151, adopted June 16, 1945, and the amount of ten thousand dollars (\$10,000) was appropriated to it to study, analyze and report to the Senate all facts relating to the range and watershed problems of the State of California, and the suppression of forest fires therein; and

WHEREAS, Said committee has not completed its work and has not expended one thousand six hundred fifty-five dollars (\$1,655) of the funds made available to it; and

WHEREAS, It is desirable to continue said committee as a committee at this general session; now, therefore, be it

Resolved by the Senate of the State of California, As follows:

1. The Senate Forestry Study Committee created by Senate Resolution No. 151 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The sum of one thousand six hundred fifty-five dollars (\$1,655) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 201: By Senator Tenney—An act to amend Sections 18540 and 18973 of the Government Code, relating to veterans and

civil service credits for military service, and declaring the urgency thereof to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 202: By Senator Collier—An act to add Division 24, comprising Sections 35000 to 35030, inclusive, to the Health and Safety Code, providing for emergency hospital and medical services for persons injured in accidents; defining the powers and duties of the California Highway Patrol in relation thereto; providing revenue therefor by amending Sections 19485, 19597, 19620, and 19627 of, and adding Sections 19401 and 19626.7 to, the Business and Professions Code, and making an appropriation.

Referred to Committee on Public Health and Safety.

Senate Bill No. 203: By Senator Ward—An act to amend Section 4247 of the Political Code and Section 28118 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Referred to Committee on Local Government.

Senate Bill No. 204: By Senator Ward—An act to add Section 418 to the Education Code, relating to the qualifications and salaries of county superintendents of schools.

Referred to Committee on Education.

Senate Bill No. 205: By Senator Desmond—An act to amend Section 1100 of, and to add Section 1596.5 to the Insurance Code, relating to insurance and the investments and assets of insurers.

Referred to Committee on Financial Institutions.

Senate Bill No. 206: By Senators Sutton and Hatfield—An act to add Section 142.5 to the Vehicle Code, relating to vehicles exempted from registration.

Referred to Committee on Transportation.

Senate Bill No. 207: By Senators Dilworth and Jespersen—An act to add Article 9.5 to Chapter 6 of Division 3 of the Education Code, and to amend Section 7231 of said code, all relating to apportionments from the State School Fund to school districts for pupil transportation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 208: By Senators Dilworth and Jespersen—An act to amend Sections 4901, 4902, 4913, 4914, 4915, and 4953 of the Education Code, and to add Section 4912.1 to said code, all relating to the reorganization of school districts.

Referred to Committee on Education.

Senate Bill No. 209: By Senators Dilworth and Jespersen—An act to amend Section 6357 of the Education Code, relating to rates of school district tax.

Referred to Committee on Education.

Senate Bill No. 210: By Senators Dilworth and Jespersen—An act to amend Section 4919 of the Education Code, relating to elections for the reorganization of school districts.

Referred to Committee on Education.

Senate Bill No. 211: By Senators Dilworth and Jespersen—An act to add Section 6703 to the Education Code, relating to the establishment of a policy respecting the reorganization of school districts.

Referred to Committee on Education.

Senate Bill No. 212: By Senator Judah—An act to add Section 5018 to the Public Resources Code, relating to the transfer of jurisdiction to the Division of Beaches and Parks over land created by accretion adjacent to state beaches.

Referred to Committee on Natural Resources.

Senate Bill No. 213: By Senator Judah—An act to amend Section 5015 of the Public Resources Code, relating to ocean beaches and to beach and cliff erosion.

Referred to Committee on Natural Resources.

Senate Bill No. 214: By Senator Donnelly—An act to amend Sections 23600, 23603, 23626, 23669, 23673, 23875, 23981, 24528, and 24529 of, and to add Sections 23674, 23878 and 23879, to the Water Code, relating to improvement districts in irrigation districts.

Referred to Committee on Water Resources.

Senate Bill No. 215: By Senators Crittenden and Tenney—An act to provide for the acquisition and construction of houses and apartments in the State; defining the duties of the Governor and state agencies in respect thereto; making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 216: By Senator Jespersen—An act to amend Section 5801 of the Labor Code, relating to attorney's fees under the Workmen's Compensation Act.

Referred to Committee on Judiciary.

Senate Bill No. 217: By Senator Jespersen—An act to amend Section 54 of the Unemployment Insurance Act, relating to unemployment insurance and the amount of benefits payable thereunder.

Referred to Committee on Social Welfare.

Senate Bill No. 218: By Senator Jespersen—An act to amend Sections 41 and 53 of the Unemployment Insurance Act, relating to unemployment insurance and the amount and duration of benefits payable thereunder.

Referred to Committee on Social Welfare.

Senate Joint Resolution No. 4: By Senators Carter, Gordon, and Dillinger—Relative to an appropriation for insect control in national forests.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Senator O'Gara asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 13, at this time, for consideration of Assembly amendments.

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Concurrent Resolution No. 13—Relative to the creation of a Committee to Investigate and Report Upon the Housing Problem in California with particular reference to veterans housing.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Concurrent Resolution No. 13?

Amendment No. 1

On page 2, line 19, of the printed measure, as amended, strike out "final".

Amendment No. 2

On page 2 of said measure, strike out lines 20 and 21, and insert "than March 15, 1947."

Amendment No. 3

On page 2, line 49, of said measure, strike out "twenty-five thousand dollars (\$25,000)", and insert "ten thousand dollars (\$10,000)".

Amendment No. 4

On page 1 of the printed measure, strike out lines 19 to 20, inclusive, and insert "and".

The roll was called, and the Senate concurred in Assembly amendments to Senate Concurrent Resolution No. 13 by the following vote:

AYES—Senators Breed, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Above resolution ordered enrolled.

ADJOURNMENT

At 11.30 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 11 a.m. Tuesday, January 21, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

TWELFTH LEGISLATIVE DAY

SIXTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, January 21, 1947

The Senate met at 11 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—33.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Hulse, on motion of Senator Powers, due to illness.

Senator Ward, on motion of Senator Powers, due to legislative business.

Senator Brown, on motion of Senator Powers.

Senator Mayo, on motion of Senator Powers.

Senator McBride, on motion of Senator Powers.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. and Mrs. D. P. Anderson of Santa Rosa, Mrs. James I. Wagy, and Julian Wagy of Bakersfield.

On request of Senator Jespersen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Vivian Mayer of Carmichael and Mrs. Edith Livingston of Sacramento.

On request of Senators Tenney and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Jack Redlich and Mrs. Jacob H. Baer, both of Sacramento.

On request of Senators Salsman, DeLap, and Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Donovan D. Fischer, instructor, and the following students of the American Institution Class of the Menlo Junior College, Menlo Park, California: Bruce P. Eshelman, Atherton; Richard L. Hennessy, San Carlos; Tony DeLap, Richmond; Charles Deaton, San Francisco; Henry Malatesta, Palo Alto; Richard C. Beyer, Palo Alto; Jack B. Hatton, Atherton; James I. Heron, San Francisco; Leonard Kaufman Jr., Portland, Oregon; William B. Renna, Oakland; Russell C. Haehl, San Francisco; Francis N. Shea, Carmel; Douglas J. Miller, San Francisco; Alan O. Green, Portland, Ore.; Raymond S. Burdette, San Jose; William P. Craver, Fallen Leaf; Bert Snyder Jr., Santa Cruz; Richard T. Clark, Palo Alto; Paul W. McCollister, Belmont; Richard A. Stephens, Burlingame; Charles M. Moore, Palo Alto; William E. Warden, Burlingame; Roy Dimitri Parsons, Atherton; Joe Bernhard Jr., Fresno; Bill Buchanan, Pittsburg; John Fahnestock, Hollywood; Kenneth G. Page, Pasadena; Willard F. Magnuson, Lynwood, and Frank L. Albro, San Francisco.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Jess Barker and Miss Susan Hayward of Hollywood and Miss Marjorie Rankin of Alameda.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 257

Assembly Bill No. 367

Assembly Bill No. 435

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 257—An act to add Section 4041.21b to the Political Code and Section 26026 to the Government Code, relating to aid to the United States of America in the acquisition or improvement of government-owned airports and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 367—An act to amend Section 1183.5 of the Civil Code, relating to the proof or acknowledgment of instruments, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 435—An act to add Sections 1160.5 and 1160.6 to the Harbors and Navigation Code, relating to pilots, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Concurrent Resolution No. 6

Senate Concurrent Resolution No. 9

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

By CARROLL PARISH, Assistant Clerk

REQUEST FOR UNANIMOUS CONSENT

Senator Crittenden asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 9, at this time, for consideration of Assembly amendments.

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Concurrent Resolution No. 9—Relative to the continuance of the Joint Committee on Water Problems created by Resolutions Chapter No. 142 of the Fifty-sixth Regular Session.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Concurrent Resolution No. 9?

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "final".

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "adjournment", and insert "March 15, 1947."

The roll was called, and the Senate concurred in Assembly amendments to Senate Concurrent Resolution No. 9 by the following vote:

AYES—Senators Breed, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Gordon, Jespersen, Judah, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—24.

NOES—None.

Above resolution ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Senator Collier asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, for consideration of Assembly amendments.

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Concurrent Resolution No. 6—Relative to the continuance of the Joint Fact-Finding Committee on Highways, Streets and Bridges created by Resolutions Chapter 133 of the 1945 Regular Session.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Concurrent Resolution No. 6?

Amendment No. 1

On page 1, line 8, of the printed measure, strike out "Vacan-"; and strike out lines 9 and 10.

Amendment No. 2

On page 1, line 29, of the printed measure, after the period, insert "None of the money made available shall be expended on expenses for trips outside this State by any member of the committee."

The roll was called, and the Senate concurred in Assembly amendments to Senate Concurrent Resolution No. 6 by the following vote:

AYES—Senators Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Power, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Above resolution ordered enrolled.

**WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY CONCURRENT
RESOLUTION NO. 23**

Senator Watson moved that Assembly Concurrent Resolution No. 23 be withdrawn from Committee on Natural Resources, and referred to Committee on Rules.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 20, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 2—Relative to memorializing and petitioning the Congress of the United States to pass appropriate legislation to control and eradicate and prevent from entrance into this country of the disease of animals known as foot-and-mouth disease (aphthous fever) now present among animals of several states of the Republic of Mexico;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twentieth day of January, 1947, at 12 m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 20, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 14

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 20, 1947

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 33

Senate Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported bills ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 20, 1947

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Bill No. 154

Senate Bill No. 155

Senate Bill No. 156

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 156—An act to amend Section 9300 of the Government Code, relating to the payment of salaries of the Members of the Legislature.

Bill read second time.

Request for Unanimous Consent

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Bill No. 156, at this time, for consideration.

CONSIDERATION OF SENATE BILL NO. 156**Resolution to Suspend Constitutional Provision**

The following resolution was offered :

By Senator Kraft:

Resolved, That Senate Bill No. 156 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 156—An act to amend Section 9300 of the Government Code, relating to the payment of salaries of the Members of the Legislature.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Swing moved a call of the Senate.

Motion carried. Time, 11.20 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bills were introduced, and read the first time:

Senate Bill No. 219: By Senator DeLap—An act to amend Section 9028.5 of the Business and Professions Code, relating to proceedings for the suspension or revocation of certificates of registered social workers.

Referred to Committee on Business and Professions.

Senate Bill No. 220: By Senator DeLap—An act to amend Sections 11500, 11501, 11503, 11504, 11518, 11520, and 11523 of the Government Code, to repeal Section 11514 thereof, and to add new Sections 11514 and 11529 thereto, all relating to administrative procedure.

Referred to Committee on Judiciary.

Senate Bill No. 221: By Senator DeLap—An act to amend Sections 9594 and 9595 of the Business and Professions Code, relating to the regulation and licensing of cleaning, dyeing and pressing establishments and persons engaged therein.

Referred to Committee on Business and Professions.

Senate Bill No. 222: By Senator DeLap—An act to amend Section 16 of the Corporate Securities Act, relating to void securities.

Referred to Committee on Financial Institutions.

Senate Bill No. 223: By Senator DeLap—An act to amend Sections 5100, 5101, and 5104 of the Business and Professions Code, to repeal Sections 5102 and 5103 thereof, to add a new Section 5102 thereto, and to repeal Section 3 of an act entitled "An act to repeal Chapter 1, comprising Sections 5000 to 5044, inclusive, of Division 3 of, and to add a new Chapter 1, comprising Sections 5000 to 5132, inclusive, to Division 3 of, the Business and Professions Code, relating to the creation of a State Board of Accountancy, and prescribing its duties and powers; regulating the practice of public accountancy and requiring persons engaged in the practice thereof to obtain annual permits to practice; providing for the examination of and issuance of the certificate of certified public accountant to qualified applicants and for the continuance of certified public accountant certificates issued under prior acts; and providing penalties for violations of the provisions of this act," approved July 13, 1945, all relating to accountancy.

Referred to Committee on Business and Professions.

Senate Bill No. 224: By Senator DeLap—An act to amend Section 2 of the Corporate Securities Act, relating to exemptions.

Referred to Committee on Financial Institutions.

Senate Bill No. 225: By Senator DeLap—An act to amend Section 4 of the Corporate Securities Act, relating to the issuance of permits.

Referred to Committee on Financial Institutions.

Senate Bill No. 226: By Senator Slater—An act to amend Section 10 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to compensation of elective officers of cities, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 227: By Senator Slater—An act to amend the Health and Safety Code by repealing Sections 32127, 32202, 32204, 32205, 32303, 32308, 32312, 32313; by amending Sections 32003, 32100, 32203, 32305, 32309, 32310; and by adding new sections numbered 32127,

32202, 32203, 32204, 32303, 32308, 32312, all relating to local hospital districts; and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Health and Safety.

Senate Bill No. 228: By Senators Ward, Quinn, Kraft, Dilworth, Sutton, Hatfield, Desmond, Tenney, and DeLap—An act to amend Section 1083 of the Military and Veterans Code, relating to the Women's Relief Corps Home of California.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 229: By Senators Quinn, Ward, Kraft, Dilworth, Sutton, Hatfield, Desmond, Tenney, and DeLap—An act to add Section 900 to the Military and Veterans Code, relating to veterans education.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 230: By Senators Ward, Kraft, Dilworth, Quinn, Sutton, Hatfield, Desmond, Tenney, O'Gara, and DeLap—An act to amend Section 78 of the Military and Veterans Code, relating to the powers of California Veterans Board and the Director of Veterans Affairs.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 231: By Senators Ward, Kraft, Dilworth, Quinn, Sutton, Hatfield, Desmond, Tenney, O'Gara, and DeLap—An act to repeal Section 206.7 of the Welfare and Institutions Code, relating to reports concerning veterans in county institutions.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 232: By Senators Ward, Kraft, Quinn, Sutton, Hatfield, Desmond, Tenney, O'Gara, and DeLap—An act to amend Section 972 of the Military and Veterans Code, relating to county service officers and their assistants, compensation, and contributions by, and authority of Veterans' Welfare Board.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 233: By Senator Kraft—An act to add Section 5012.1 to the Public Resources Code, relating to the granting of easements to public utilities across state park lands.

Referred to Committee on Natural Resources.

Senate Bill No. 234: By Senator Kraft—An act to add Section 5017 to the Public Resources Code, relating to the transfer to the Division of Beaches and Parks of jurisdiction over land created by artificial and natural accretion to the ocean and bay shores of the Silver Strand State Beach in San Diego County.

Referred to Committee on Natural Resources.

Senate Bill No. 235: By Senator Kraft—An act making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of real property for use as a site for a state office building in the City of San Diego and in furtherance of the postwar building program.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 236: By Senator Kraft—An act to amend Section 13 of the Alcoholic Beverage Control Act, relating to licensing of retail sales of alcoholic beverages.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 237: By Senator Kraft—An act to amend Section 37 of the Alcoholic Beverage Control Act, relating to the disposition of funds collected.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 238: By Senator Kraft—An act to add Chapter 1.5 to Division 3 of the Education Code, providing for school district public works and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 239: By Senator Kraft—An act to amend Section 17976 of the Revenue and Taxation Code, relating to income tax.

Referred to Committee on Revenue and Taxation.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 11.26 a.m., on motion of Senator Swing, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called on the urgency clause to Senate Bill No. 156.

Call of the Senate

Pending the announcement of the vote, Senator Swing moved a call of the Senate.

Motion carried. Time, 11.27 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

Senate Bill No. 240: By Senator Kraft—An act to amend Section 17325, as added by Chapter 646 of the Statutes of 1945, of the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 241: By Senator Kraft—An act to amend Section 108 of the Civil Code, relating to divorce actions on grounds of insanity.

Referred to Committee on Judiciary.

Senate Bill No. 242: By Senator Kraft—An act to amend Section 41 of the Probate Code, relating to bequests to charity and charitable use.

Referred to Committee on Judiciary.

Senate Bill No. 243: By Senator Kraft—An act to amend Section 737kk of the Political Code, relating to salaries of superior judges in San Diego County.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 244: By Senator Kraft—An act to amend Section 673 of the Vehicle Code, relating to mufflers.

Referred to Committee on Transportation.

Senate Bill No. 245: By Senator Kraft—An act to amend Section 514 of the Vehicle Code, relating to minimum speeds.

Referred to Committee on Transportation.

Senate Bill No. 246: By Senator Kraft—An act to add Sections 8965 and 8966 to the Health and Safety Code, relative to officers and employees of public cemetery districts and to the powers of said districts.

Referred to Committee on Local Government.

Senate Bill No. 247: By Senator Kraft—An act to amend Section 3209.3 of the Labor Code, relating to medical services in workmen's compensation and disability insurance cases.

Referred to Committee on Business and Professions.

Senate Bill No. 248: By Senator Kraft—An act to amend Section 2246 of the Business and Professions Code, relating to instruction in chiropody.

Referred to Committee on Business and Professions.

Senate Bill No. 249: By Senator Kraft—An act to amend Sections 2450 and 2452 of the Business and Professions Code, relating to chiropody.

Referred to Committee on Business and Professions.

Senate Bill No. 250: By Senator Kraft—An act to repeal Chapter 10 of Division 2 of the Business and Professions Code, relating to trained hospital attendants.

Referred to Committee on Business and Professions.

Senate Bill No. 251: By Senator Kraft—An act to amend Sections 4826, 4827, and 4882 of the Business and Professions Code, and to add Sections 4809.5 and 4829.5 thereto, relating to the practice of veterinary medicine, dentistry, and surgery.

Referred to Committee on Business and Professions.

Senate Bill No. 252: By Senator Kraft—An act to amend Section 2798 of the Business and Professions Code, relating to nursing and nursing schools.

Referred to Committee on Business and Professions.

Senate Bill No. 253: By Senator Kraft—An act to amend Section 1299.1 of the Agricultural Code, relating to marketing of milk and other dairy products.

Referred to Committee on Agriculture.

Senate Bill No. 254: By Senators Carter and Gordon—An act to amend Sections 3 and 5 of an act entitled "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," approved April 23, 1945, relating to maximum sustained productivity of the forest lands of California.

Referred to Committee on Natural Resources.

Senate Bill No. 255: By Senator Carter—An act to amend Section 5705 of the Labor Code, relating to claims for increased compensation for serious and wilful misconduct.

Referred to the Committee on Labor.

Senate Bill No. 256: By Senator Carter—An act to amend Section 4702 of the Labor Code, relating to death benefits under the Workmen's Compensation Act.

Referred to the Committee on Labor.

Senate Bill No. 257: By Senator Carter—An act to amend Section 4460 of the Labor Code, relating to permanent and temporary disability under the Workmen's Compensation Act.

Referred to the Committee on Labor.

Senate Bill No. 258: By Senator Carter—An act to amend Section 4453 of the Labor Code, relating to average weekly earnings under the Workmen's Compensation Act.

Referred to the Committee on Labor.

Senate Bill No. 259: By Senator Carter—An act to amend Section 4461 of the Labor Code, relating to compensation for permanent disability under the Workmen's Compensation Act.

Referred to the Committee on Labor.

Senate Bill No. 260: By Senator Carter—An act to amend Section 4652 of the Labor Code, relating to waiting period under the Workmen's Compensation Act.

Referred to the Committee on Labor.

Senate Bill No. 261: By Senator Carter—An act to amend Section 5405 and 5406 of the Labor Code, relating to the statute of limitations in workmen's compensation cases.

Referred to the Committee on Labor.

Senate Bill No. 262: By Senator Carter—An act to add Section 692.5 to the Vehicle Code, relating to the exemption of authorized emergency vehicles from weight, height, length and width restrictions.

Referred to the Committee on Transportation.

Senate Bill No. 263: By Senator Carter—An act to amend Section 3212 of the Labor Code, relating to workmen's compensation claims of members of police or fire departments.

Referred to the Committee on Labor.

Senate Bill No. 264: By Senator Carter—An act to amend Sections 20013, 20014, 20600, 20604, 20750, 20950, 21020.5, 21208, 21257.1,

21292, 21295, and 21363 of, and to add Sections 20017.6, 20602.7, 20602.8, 20603.2, 20803.6, 20980.6, and 21256.2 to, the Government Code, relating to the State Employees' Retirement System, in respect to the fire suppression personnel of the Division of Forestry, Department of Natural Resources.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 265: By Senator Carter—An act to add Section 141 to the Welfare and Institutions Code, relating to rules and regulations.

Referred to Committee on Social Welfare.

Senate Bill No. 266: By Senator Carter—An act to amend Section 302 of the Unemployment Insurance Act, relating to disability benefits.

Referred to Committee on Social Welfare.

Senate Bill No. 267: By Senators Ward, Kraft, Dilworth, Quinn, Sutton, Hatfield, Desmond, Tenney, O'Gara, and DeLap—An act to add Section 18972.5 to the Government Code, relating to physical qualifications of veterans for state civil service.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 268: By Senators Ward, Kraft, Dilworth, Quinn, Sutton, Hatfield, Desmond, Tenney, O'Gara, and DeLap—An act to amend Section 19533 of the Government Code, relating to layoffs in the state civil service.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 269: By Senators Ward, Kraft, Dilworth, Quinn, Sutton, Hatfield, Desmond, Tenney, O'Gara, and DeLap—An act to add Section 19057.5 to the Government Code, relating to appointments in state civil service.

Referred to Committee on Governmental Efficiency.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 11.37 a.m., on motion of Senator Swing, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 156 refused adoption by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Hatfield, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—26.

NOES—Senators Carter, Dillinger, Donnelly, Gordon, Jespersen, Sutton, and Tenney—7.

RECESS

At 11.40 a.m., on motion of Senator Tenney, the Senate recessed to hear the remarks of movie actress Susan Hayward and her husband, Jess Barker.

REASSEMBLED

At 11.45 a.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

Senator Earl D. Desmond Presiding

At 11.50 a.m., Senator Earl D. Desmond of the Nineteenth District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

Senate Bill No. 270: By Senators Hatfield and Powers—An act to repeal Article 3 and to amend the headings of Articles 3a and 5 of Chapter 1, to amend the chapter headings of Chapters 2 and 3 of, and to add Chapters 2 and 7 to, Division 3 of the Agricultural Code, relating to animals, including provisions respecting the marking, branding, transportation, sale, slaughter, inspection, ownership, theft, or loss thereof and providing for the administration and enforcement of such provisions.

Referred to Committee on Agriculture.

Senate Bill No. 271: By Senator Weybret—An act to create a flood control district to be called Monterey County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the retention and reclaiming of drainage, storm, flood, and other waters and to save and conserve such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district.

Referred to Committee on Water Resources.

Senate Bill No. 272: By Senator Rich—An act authorizing the sale and conveyance of certain property belonging to the State of California and located in what is known as Reclamation District No. 1660 in the County of Sutter, State of California.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 273: By Senators Rich, Cunningham, Crittenden, Gordon, Deuel, McCormack, Sutton, and Desmond—An act making an appropriation to the Reclamation Board for the payment of the cost of cooperation by the State with the United States in the construction of the project for flood control on the Sacramento River and its tributaries.

Referred to Committee on Water Resources.

Senate Bill No. 274: By Senator Salsman—An act to provide for the relocation of a portion of State Highway Route 5 in Santa Clara County, and making an appropriation therefor.

Referred to Committee on Transportation.

Senate Bill No. 275: By Senators Ward, Kraft, Dilworth, Quinn, Sutton, Hatfield, Desmond, Tenney, O'Gara, and DeLap—An act to amend Section 1449 of the Penal Code, relating to veterans discharged for mental disability.

Referred to Committee on Judiciary.

Senate Bill No. 276: By Senators Breed, Tenney, and O'Gara—An act to add Article 9, comprising Sections 20221 and 20222 to Chapter 1 of Division 10 of the Education Code, relating to the University of California Police.

Referred to Committee on Education.

Senate Bill No. 277: By Senators Judah and Dilworth—An act to add Section 743.7 to the Vehicle Code, relating to criminal proceedings and evidence of intoxication of drivers.

Referred to Committee on Transportation.

Senate Bill No. 278: By Senators Judah and Dilworth—An act to amend Section 502 of the Vehicle Code, relating to the driving of vehicles.

Referred to Committee on Transportation.

Senate Bill No. 279: By Senators Dilworth and Quinn—An act to add Sections 6011.5 and 6012.5 to the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 280: By Senator Desmond—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

Referred to Committee on Judiciary.

Senate Bill No. 281: By Senator Deuel—An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and authorizing the use of the Tehachapi property as an adjunct of the California Vocational Institution.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 282: By Senators Hatfield and Donnelly—An act to add Section 2972.5 to the Civil Code, relating to mortgages.

Referred to Committee on Judiciary.

Senate Bill No. 283: By Senator Hatfield—An act to provide for the acquisition of certain land in Merced County by the Fish and Game Commission, prescribing the powers and duties of said commission in connection therewith, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 284: By Senators Donnelly, Weybret, Burns, Hatfield, and Sutton—An act making an appropriation to the Department of Agriculture for the purpose of field rodent suppression.

Referred to Committee on Agriculture.

Senate Bill No. 285: By Senators Hatfield, Donnelly, Weybret, Burns, and Sutton—An act making an appropriation for research on problems relating to the production, processing, and distribution of agricultural products.

Referred to Committee on Agriculture.

Senate Bill No. 286: By Senators Donnelly, Burns, and Hatfield—An act making an appropriation to the Department of Agriculture for the purpose of conducting and supervising surveys for incipient pests.

Referred to Committee on Agriculture.

Senate Bill No. 287: By Senators Weybret, McCormack, Donnelly, Burns, and Hatfield—An act making an appropriation to the Department of Agriculture for the purpose of controlling Russian thistle and other weed hosts of beet leafhopper.

Referred to Committee on Agriculture.

Senate Bill No. 288: By Senators Burns, Hatfield, and Donnelly—An act making an appropriation to the Department of Agriculture for the purpose of augmenting market news services.

Referred to Committee on Agriculture.

Senate Bill No. 289: By Senator Hatfield—An act to amend Sections 4214, 4215, 4216, 4217, 4218, 4219, and 4220 of, to amend the title of Article 1 of Chapter 8, Title 2, Part 4 of, and to add Sections 4200 to 4208, inclusive to, the Political Code; to amend Sections 1022 and 1029 of, and to add Chapter 3A, comprising Sections 1040 to 1042, inclusive, to Division 2 of, the Streets and Highways Code, and to repeal acts and parts of acts specified herein, relating to county government; abolishing the office of county surveyor, creating the office of county engineer, and providing a unified system of county road administration.

Referred to Committee on Transportation.

Senate Bill No. 290: By Senators Hatfield, Donnelly, Burns, and Weybret—An act to repeal Section 1881.3 of the Civil Code, relating to the period during which the chapter of said code relating to private bulk storage of grain shall remain in effect.

Referred to Committee on Agriculture.

Senate Bill No. 291: By Senators Hatfield, Burns, Crittenden, Sutton, Donnelly, Hulse, and Weybret—An act to provide for and facilitate the recruitment and placement of farm labor, creating the

Farm Labor Commission and other officers to administer the provisions of this act, and making an appropriation.

Referred to Committee on Agriculture.

Senate Bill No. 292: By Senator Hatfield—An act to add Article 20 to Chapter 2 of Division 3 of the Agricultural Code, relating to the transportation and storage of meat of bovine animals.

Referred to Committee on Agriculture.

Senate Bill No. 293: By Senator Hatfield—An act to amend Section 6125 of the Business and Professions Code, relating to the practice of law.

Referred to Committee on Judiciary.

Senate Bill No. 294: By Senator Hatfield—An act to add Article 2A to Chapter 4 of Division 8 of the Business and Professions Code, relating to horse racing, establishing a commission to regulate harness racing, prescribing the powers and duties of such commission and of the California Horse Racing Board in connection with horse races.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 295: By Senator Hatfield—An act to amend Section 19561 of the Business and Professions Code, relating to harness horse racing and the regulation thereof.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 296: By Senator Hatfield—An act making an appropriation to the Reclamation Board for the payment of the cost of cooperation by the State with the United States in the prosecution of the plan of improvement for flood protection on various streams in the Merced County Stream Group in the San Joaquin Valley.

Referred to Committee on Water Resources.

Senate Bill No. 297: By Senator Hatfield—An act relating to the marketing of farm products and to provide for the regulation of the unloading and handling thereof when delivered to markets.

Referred to Committee on Agriculture.

Senate Bill No. 298: By Senator Hatfield—An act to amend Section 6 of an act entitled "An act to create an Agricultural Research Study Committee, provide for its powers and duties, and making an appropriation," approved March 12, 1946, relating to the Agricultural Research Study Committee.

Referred to Committee on Agriculture.

Senate Bill No. 299: By Senators Hatfield and Sutton—An act to add Sections 498, 499, 500, 501, 502, 503, 504, 505, 506 to Article 1, Chapter 1, Part 2, Division 4, of the Fish and Game Code, relating to farm fish ponds.

Referred to Committee on Fish and Game.

Senate Bill No. 300: By Senator Hatfield—An act to amend Section 4265 of the Political Code and Section 28136 of the Government

Code, relating to compensation for public services in counties of the thirty-sixth class.

Referred to Committee on Local Government.

Senate Bill No. 301: By Senator Weybret—An act to amend Section 44 of the State Water Resources Act of 1945, relating to water and flood control.

Referred to Committee on Water Resources.

Senate Bill No. 302: By Senator Williams—An act to add Section 3440 to the Education Code, relating to the organization of high school districts.

Referred to Committee on Education.

Senate Bill No. 303: By Senator Watson—An act to amend Section 1352 of the Labor Code, relating to working hours of female employees.

Referred to Committee on Labor.

Senate Bill No. 304: By Senator Watson—An act to amend Section 432.5 of the Fish and Game Code, relating to fee for boat owners transporting fishermen, and requiring the fishermen to have a state license.

Referred to Committee on Fish and Game.

Senate Bill No. 305: By Senator Williams—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 306: By Senator Keating—An act to amend Section 1107 of the Code of Civil Procedure, relating to service of applications for prerogative writs.

Referred to Committee on Judiciary.

Senate Bill No. 307: By Senator Quinn—An act to amend Section 459 of the Penal Code and to add Section 504.1 to the Vehicle Code, relating to definition of burglary.

Referred to Committee on Transportation.

Senate Bill No. 308: By Senator Quinn—An act to amend Section 19626 of the Business and Professions Code, relating to allocation of the Fair and Exposition Fund.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 309: By Senators Quinn, Hatfield, and Hulse—An act to amend Section 13 of the Construction and Employment Act, relating to the types of projects to be constructed by counties pursuant to said act.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 310: By Senators Quinn and Dilworth—An act to renumber Section 1557.1 of the Probate Code to be Section 1557.2 and to amend said section and to add Section 1557.1 to said code, relating to

investments by guardians and declaring the urgency thereof to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 311: By Senator Parkman—An act to amend Section 4241 of the Political Code and Section 28112 of the Government Code, relating to compensation for public service in counties of the twelfth class.

Referred to Committee on Local Government.

Senate Bill No. 312: By Senators Hatfield and Hulse—An act to provide for the payment of a portion of the bonded indebtedness of the State of California and making an appropriation therefor.

Referred to Committee on Finance.

Senate Bill No. 313: By Senator Breed—An act to add Section 66f to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Alameda and providing for the appointment of additional judges and for their compensation.

Referred to Committee on Governmental Efficiency

Senate Bill No. 314: By Senator Breed—An act to amend Sections 5093 and 5096 of the Business and Professions Code, relating to the powers and duties of the State Board of Accountancy, the regulation of the practice of public accountancy, and the issuance of certificates of certified public accountant and of permits to practice public accountancy.

Referred to Committee on Business and Professions.

Senate Concurrent Resolution No. 17: By Senator DeLap—Relative to amending No. 13 of the Joint Rules of the Legislature, relating to legislative publications.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Senators O'Gara and Tenney:

Senate Resolution No. 34

Relating to the March of Dimes campaign

WHEREAS, This week opens the March of Dimes campaign to collect funds to carry on the work of the National Foundation for Infantile Paralysis, in preventing and relieving the terrible suffering of children stricken each year with infantile paralysis; now, therefore, be it

Resolved by the Senate of the State of California, That the people of this State are urged to contribute generously to this fund; that each will recall the eager joy he has seen light the face of a child when offered some small gift of candy or a simple toy, and imagine how much greater is the gift which can be offered through contributions to this fund, in bringing to afflicted children gifts without which life itself is but a miserable mockery, the ability to walk and play, the gift of hope and faith that some day useless limbs will be made well, and that there may be attained an adult life full of the joy of work and accomplishment instead of the hopeless monotony of the hospital cot or the wheel chair, and that having in mind the purpose of these funds the people of this State will give largely, in proportion to the great benefits these contributions will bring not only to the afflicted but by helping to eliminate this terrible disease and removing its crippling threat from all the children of America.

Resolution read, and, on motion of Senator O'Gara, adopted.

MOTION TO APPROVE JOURNALS

Senator Powers moved that the Journals for Monday, January 13, 1947, Tuesday, January 14, 1947, Wednesday, January 15, 1947, Thursday, January 16, 1947, and Friday, January 17, 1947, be approved as corrected by the Journal Clerk and the Minute Clerk.

Motion carried.

MOTION TO RECONSIDER

Senator Kraft moved to reconsider the vote whereby the urgency clause to Senate Bill No. 156 was refused adoption.

Postponement of Reconsideration

On motion of Senator Kraft, the further consideration of the motion to reconsider the vote whereby the urgency clause to Senate Bill No. 156 was refused adoption, was continued until the next legislative day.

ADJOURNMENT

At 11.59 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., Wednesday, January 22, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

THIRTEENTH LEGISLATIVE DAY

SEVENTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, January 22, 1947

The Senate met at 10.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Hulse, on motion of Senator Powers, due to illness.

Senator Keating, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Homer P. Brown of Placerville.

On request of Senator Quinn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Chief Eagle Wing, Chief of Bay Area California Indian Federation, Chief Joseph Red-Horse, Secretary of the Bay Area California Indian Federation, and Mrs. Georgia Thomas, Secretary of Indian Federation of Working Committees of California.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Gene Webber and Mr. Gus Bade of Napa.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Alma V. Linton and Mr. Ben Sweeney, sponsors of the following students of the Abraham Lincoln High School of San Jose: Elizabeth Abraria, Lorraine Anderson, Priscilla Arrowood, Gary Britton, Joan Campbell, Lois Chartrand, Edna Collum, Alan Crowell, Vernon Curtiss, Paul Davies, Jr., Don DeCarli, Joe DiBenedetto, Betty Downing, Audre Graft, Florence Gustafson, Elaine Hase, Irene Hansen, Pat Hocking, Franz Imker, Lynn Jackson, Dorothy Jernigan, Lita Kelly, Larry Kirk, Joyce Lehrbach, John McGehee, John McSweeney, Chuck Murray, Carolyn Nobles, James Phillips, June Pereira, Clifford Schuring, Reiner Schmable, Cecil Silva, Bob Slack, Marilyn Spencer, Mark Thomas, Jr., Jim Viso, Betty Voltz, Phyllis Wehinger, Keith Winegarner, Alfred Wegner, and Judy Wyckoff.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 34

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 33

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

Above bill ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT

Senator Desmond asked for, and was granted, unanimous consent to take up Senate Bill No. 33, at this time, for consideration of Assembly amendments.

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 33—An act authorizing the sale of certain Folsom State Prison property to the City of Folsom, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 33?

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 to 17, inclusive, and insert:
"Beginning at the northeast corner of Stafford Street and Mormon Island Road, town of Folsom, thence N. 53 degrees 12 minutes E., 737.1 feet; thence N. 57 degrees 05½ minutes E., 30.0 feet; thence N. 50 degrees 56 minutes E., 190 feet; thence N. 35 degrees 0 minutes W., 470.8 feet; thence S. 53 degrees 12 minutes W., 260.0 feet; thence N. 36 degrees 48 minutes W., 1130.0 feet; thence S. 55 degrees 25 minutes W.,

344.5 feet; thence S. 62 degrees 32½ minutes W., 371.2 feet; thence S. 36 degrees 48 minutes E., 1649.6 feet to point of beginning."

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 33 by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Above bill ordered enrolled.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 94

Assembly Bill No. 373

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 94—An act to amend Section 92.1 of the Agricultural Code, relating to the allocation of state money to county and district fairs, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 373—An act to add Chapter 18, comprising Section 19500, to the Revenue and Taxation Code, relating to personal income taxes and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 17, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 156

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 16

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 4—An act making an appropriation to the Department of Veterans Affairs for the purpose of providing educational assistance for veterans, declaring the urgency hereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-first day of January, 1947, at 2 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 11—Relative to the continuance of the Joint Committee on Insurance created by Resolutions Chapter 140 of the Fifty-sixth Regular Session;

Senate Concurrent Resolution No. 15—Approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of November, 1946;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-first day of January, 1947, at 2 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 13—Relative to the creation of a committee to investigate and report upon the housing problem in California with particular reference to veterans housing;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-first day of January, 1947, at 3 p.m.

POWERS, Chairman

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 23

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

Committee on Education

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Bill No. 90

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

SLATER, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 56

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 7; absent 5.

KEATING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Assembly Bill No. 367

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 8; absent 4.

KEATING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 31

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 10.

KEATING, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 191

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 55

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Assembly Bill No. 360

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

DILLINGER, Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Joint Resolution No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 23

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Finance.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: The Committee on Rules has appointed the following Senators to serve as members of the Committee to Investigate the Housing Problem in California with particular reference to veterans housing, under the terms of Senate Concurrent Resolution No. 13:

O'Gara
Tenney
Ward
Breed
Dilworth

POWERS, Chairman

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules:

Senate Resolution No. 35

Resolved, That the sum of two thousand three hundred dollars (\$2,035) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the Senate Committee on Fish and Game Primitives created by Senate Resolution No. 190 of the Fifty-sixth Regular Session, and continued by Senate Resolution No. 28 of this session, for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deneil, Dillinger, Dilworth, Donnell, Gordon, Hatfield, Jorgensen, Kraft, Mayo, McCormack, O'Gara, Parkinson, Powers, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, Weybret, and Williams—29.

NOES—None.

By the Committee on Rules:

Senate Resolution No. 36

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate in the sum of three hundred dollars (\$300) for postage for the Senate, and the Treasurer is directed to pay the same.

DEUEL
SALSMAN

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Busch, Collier, Colvig, Crittenden, Cunningham, DeLap, Desmond, Deneil, Dilworth, Donnell, Gordon, Hatfield, Jorgensen, Kraft, Mayo, McCormack, O'Gara, Parkinson, Powers, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 315: By Senators Dilworth, Sutton, Kraft, Rich, and DeLap—An act to amend the heading of Chapter 1 of Division 4 and Sections 3390 and 3391 of the Health and Safety Code, to amend and renumber Section 3390a thereof to be Section 3390.5, to repeal Sections 3100 and 3101 and Chapter 3 of Division 4 thereof, comprising Sections 3325 and 3326, to add Sections 3301.5 and 3301.6 thereto, and to amend and renumber the heading of Chapter 4 of Division 4 thereof to be Chapter 3 thereof, relating to state grants-in-aid to counties, cities and counties, and cities for the treatment and care of persons suffering from

tuberculosis, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

Senate Bill No. 316: By Senator Salsman—An act to amend Sections 46 and 55 of the Vehicle Parking District Act of 1943, relating to vehicle parking districts.

Referred to Committee on Local Government.

Senate Bill No. 317: By Senator Ward—An act amending Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Social Welfare.

Senate Bill No. 318: By Senator Rich—An act to amend Section 13373 of the Government Code, relating to the Purchasing Revolving Fund.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 319: By Senator Rich—An act to amend Sections 13640 and 13643 and to repeal Sections 13642, 13644, and 13645 of the Government Code, relating to state printing funds.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 320: By Senator O'Gara—An act to amend Section 12465 of the Government Code, relating to the destruction of records in the custody of the Controller.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 321: By Senator O'Gara—An act to repeal Chapter 5, comprising Sections 16500 to 16542, inclusive, of Part 1, Division 7, of the Business and Professions Code, and abolishing the Defense Training School Fund, relating to defense training schools.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 322: By Senator Slater—An act to amend Section 301 of the Agricultural Code, relating to meat inspection.

Referred to Committee on Agriculture.

Senate Bill No. 323: By Senator Swing—An act to amend Section 19431 of the Business and Professions Code, relating to the general office of the California Horse Racing Board.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 324: By Senator Swing—An act to amend Sections 16500, 16501, 16503, 16508, 16521, 16523, 16531, and 16533 of the Government Code and to repeal an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, and an act entitled "An act providing for the designation of money in the State Treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes

of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, relating to the deposit of state funds.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 325: By Senator Powers—An act to add Section 963.5 to the Agricultural Code, relating to potato seed testing operations, creating a revolving fund for such operations and making an appropriation, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 326: By Senator Ward—An act to amend Section 39 of the Unemployment Insurance Act, relating to the rate of contributions.

Referred to Committee on Social Welfare.

Senate Bill No. 327: By Senator Ward—An act to amend Section 17953 of the Revenue and Taxation Code, relating to credits against net income of estates and trusts under the Personal Income Tax Law.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 328: By Senator Ward—An act to add Section 2272 to the Civil Code, relating to the validity of leases executed by a trustee.

Referred to Committee on Judiciary.

Senate Bill No. 329: By Senator Williams—An act to amend Section 8961 of the Health and Safety Code, relating to the permissible uses of cemeteries maintained by public cemetery districts.

Referred to Committee on Local Government.

Senate Bill No. 330: By Senators Crittenden, Hulse, Cunningham, Williams, and Watson—An act to add Section 23197.1 to the Water Code, relating to cooperation and contracts between irrigation districts and the United States, the provisions that may be included in such contracts, and the distribution and apportionment of water.

Referred to Committee on Water Resources.

Senate Bill No. 331: By Senators Crittenden, Rich, and Cunningham—An act making an appropriation to the Reclamation Board for the payment of the cost of cooperation by the State with the United States in the construction of the project for flood control on the Calaveras River and Littlejohn Creek and tributaries.

Referred to Committee on Water Resources.

Senate Bill No. 332: By Senators Crittenden, Rich, and Cunningham—An act making an appropriation to the Reclamation Board for the payment of the cost of cooperation by the State with the United States in the construction of the project for flood control on the lower San

Joaquin River and tributaries, including Tuolumne and Stanislaus Rivers.

Referred to Committee on Water Resources.

Senate Bill No. 333: By Senator Crittenden—An act to amend Section 6060.5 of the Business and Professions Code, relating to bar examinations of veterans.

Referred to Committee on Judiciary.

Senate Bill No. 334: By Senator Crittenden—An act making an appropriation to the Department of Agriculture for gathering and disseminating information relating to the marketing of California products.

Referred to Committee on Agriculture.

Senate Bill No. 335: By Senator Crittenden—An act to amend Section 4239 of the Political Code, and Section 28110 of the Government Code, relating to compensation for public service in counties of the tenth class.

Referred to Committee on Local Government.

Senate Bill No. 336: By Senators Crittenden, Hulse, Cunningham, Williams, and Watson—An act to amend Sections 23197 and 23200 of the Water Code, relating to cooperation and contracts between irrigation districts and the United States, the provisions that may be included in such contracts, and to the distribution and apportionment of water the right to the use of which is acquired under such contracts.

Referred to Committee on Water Resources.

Senate Bill No. 337: By Senators Crittenden, Hulse, Cunningham, Williams, and Watson—An act to amend Sections 11401, 11405, and 11500 of, and to add Sections 11401.1 and 11401.2 to the Water Code, relating to the Central Valley Project, the membership of the Water Project Authority of the State of California, the qualifications, compensation, and term of office of the members of said authority, and the powers of said authority.

Referred to Committee on Water Resources.

Senate Bill No. 338: By Senator McCormack—An act to amend Sections 21171 and 21173 of the Education Code, relating to cruises of vessels of the California Maritime Academy.

Referred to Committee on Education.

Senate Bill No. 339: By Senators McCormack and Powers—An act to add Section 7006.1 to the Education Code, relating to emergency state aid to school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 340: By Senator McBride—An act to amend the Building and Loan Association Act by amending Section 1.01 thereof, relating to definitions, Section 2.06 thereof, relating to merger, consolidation and transfer, Section 3.01 thereof, relating to issuance of shares and

stock, Section 3.04 thereof, relating to retirement of free shares, Section 3.07 thereof, relating to dividends on funds invested in shares less than six months, Section 4.01 thereof, relating to guarantee stock, Section 5.01 thereof, relating to investment certificates, Section 5.06 thereof, relating to redemption of investment certificates, Sections 6.01, 6.02, and 6.03 thereof, relating to withdrawals, Section 6.04 thereof, relating to reports while on notice, Section 6.05 thereof, relating to delay in paying withdrawal claims, Section 7.09 thereof, relating to liability of stockholders, Section 8.01 thereof, relating to voting rights, Sections 9.07 and 9.10 thereof, relating to loans, Section 13.17 thereof, relating to assessments for salaries and expenses of the Building and Loan Commissioner and his staff, and Section 15.16 thereof, relating to supervision and control of borrowers' mutual building and loan associations, and repealing Section 5.07 thereof, relating to modification of investment certificates; all relating to building and loan associations.

Referred to Committee on Financial Institutions.

Senate Bill No. 341: By Senator DeLap—An act to amend Section 1503 of the Education Code, relating to the interdistrict attendance of pupils.

Referred to Committee on Education.

Senate Bill No. 342: By Senators Hatfield, Gordon, Rich, Williams, Watson, Cunningham, Brown, Hulse, and Judah—An act to amend Section 1135 of the Labor Code, relating to hot cargo and secondary boycotts, making the provisions thereof permanent, and declaring state policy in regard thereto.

Referred to Committee on Labor.

Senate Joint Resolution No. 5: By Senators Crittenden, Quinn, Tenney, and O'Gara—Relative to retaining for use in this Country any and all building materials needed to provide housing for veterans and others.

Referred to Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 257

Senator Cunningham moved that Assembly Bill No. 257 be withdrawn from Committee on Governmental Efficiency, and referred to Committee on Local Government.

Motion carried.

CONSIDERATION OF DAILY FILE MOTION TO RECONSIDER

Senate Bill No. 156—An act to amend Section 9300 of the Government Code, relating to the payment of salaries of the Members of the Legislature.

MOTION TO RE-REFER SENATE BILL NO. 156

Senator Kraft moved that Senate Bill No. 156 be re-referred to Committee on Rules.

Motion carried.

SECOND READING OF SENATE BILLS

Senate Bill No. 154—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 155—An act making an appropriation for mileage of the members and officers of the Senate, without regard to fiscal years, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Resolution No. 33—Relating to continuing in existence the Senate Forestry Study Committee.

WHEREAS, The Senate Forestry Study Committee was created by Senate Resolution No. 151, adopted June 16, 1945 and the amount of \$10,000 was appropriated to it to study, analyze and report to the Senate all facts relating to the range and watershed problems of the State of California, and the suppression of forest fires therein; and

WHEREAS, Said committee has not completed its work and has not expended \$1,655 of the funds made available to it; and

WHEREAS, It is desirable to continue said committee as a committee at this general session; now, therefore, be it

Resolved by the Senate of the State of California, As follows:

1. The Senate Forestry Study Committee created by Senate Resolution No. 151 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The sum of one thousand six hundred fifty-five dollars (\$1,655) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Kraft, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Senate Concurrent Resolution No. 16—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 3 (Res. Ch. 20, 1945).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES**Committee on Transportation**

SENATE CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred:
Assembly Bill No. 435

Has had the same under consideration, and reports the same back with amendments
with the recommendation: Amend, and do pass, as amended.

Committee membership 13; committee vote: Ayes 13.

McCORMACK, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 21, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred:
Senate Bill No. 64

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 13.

McCORMACK, Chairman

Above reported bill ordered to second reading.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: The Committee on Local Government, to which was referred:
Assembly Bill No. 257

Has had the same under consideration, and reports the same back with amendments
with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:
Senate Concurrent Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Powers asked for, and was granted, unanimous consent to
take up Senate Concurrent Resolution No. 17, at this time, for consid-
eration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 17

Senate Concurrent Resolution No. 17—Relative to amending
No. 13 of the Joint Rules of the Legislature, relating to legislative pub-
lications.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham,
DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen,

Judah, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.
NOES—None.

Resolution ordered transmitted to the Assembly.

ADJOURNMENT

At 11.17 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 10.30 a.m., Thursday, January 23, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FOURTEENTH LEGISLATIVE DAY

EIGHTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, January 23, 1947

The Senate met at 10.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Hulse, on motion of Senator Powers, due to illness.

Senator DeLap, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ernest Besig of San Francisco.

On request of Senator Tenney and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Rudolph Jaeger of Huntington Park and Mrs. Jean Haley of San Pedro.

On request of Senators Slater and Mayo, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge Andrew R. Schottky.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 134
Assembly Bill No. 135

Assembly Bill No. 173
Assembly Bill No. 550

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 134—An act to amend Sections 3025, 3084, and 3087 of the Welfare and Institutions Code, relating to aid to the needy blind, increasing the amount thereof, and making an appropriation; and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 135—An act to amend Sections 3420 and 3472 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, increasing the amount thereof, and making an appropriation; and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 173—An act to amend Section 252 of the Unemployment Insurance Act, relating to claims for unemployment compensation disability benefits, declaring the urgency thereof to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 550—An act to amend Section 3411 of the Public Resources Code, relating to estimates for support of the Division of Oil and Gas, Department of Natural Resources, from the Petroleum and Gas Fund, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Natural Resources.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 154
Senate Bill No. 155
Senate Joint Resolution No. 4

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 17

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 201

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

WARD, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 201—An act to amend Sections 18540 and 18973 of the Government Code, relating to veterans and civil service credits for military service, and declaring the urgency thereof to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

REPORTS OF STANDING COMMITTEES**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 167

Senate Bill No. 168

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Social Welfare.

Committee membership 7; committee vote: Ayes 6; absent 1.

JUDAH, Chairman

Above reported bills re-referred to Committee on Social Welfare.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, January 22, 1947

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 45

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules:

Senate Resolution No. 37

Resolved, That the Secretary of the Senate be and he is hereby directed to order from the State Printer sufficient copies of the Blue Book to supply the requirements of Members of the Senate.

Resolution read, and adopted.

President of the Senate Presiding

At 10.35 a.m., Hon. Harold J. Powers, President of the Senate, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 343: By Senators Hatfield, Crittenden, Burns, Desmond, Williams, Cunningham, Jespersen, Donnelly, Dilworth, Tenney, Quinn, Hulse, Gordon, and Sutton—An act to amend the heading of Division 4, to renumber Chapters 10 and 11 of Division 4 to be Chapters 13 and 14, respectively, to repeal Chapters 3 and 8 of Division 6, of the Agricultural Code, and to add Chapters 11 and 12 to Division 4 of said code, relating to milk and dairy products and the marketing thereof.

Referred to Committee on Agriculture.

Senate Bill No. 344: By Senators Hatfield, Crittenden, Burns, Desmond, Williams, Cunningham, Jespersen, Donnelly, Dilworth, Tenney, Quinn, Hulse, Gordon, and Sutton—An act to repeal Chapters 1, 2, 3, 4, 5, 6 and 12, and to renumber Chapters 10 and 11 to be Chapters 13 and 14, respectively, of, and to add Chapters 1 to 10, inclusive, to, Division 4 of the Agricultural Code, relating to milk and milk products and the production, handling, sale, distribution, and processing thereof and of products resembling or imitating them.

Referred to Committee on Agriculture.

Senate Bill No. 345: By Senator Kraft—An act to amend Sections 3, 5, 6, 12, 20, 22, to repeal Section 21, and to add Section 21 to the Relief Act of 1945, relating to relief of hardship and destitution.

Referred to Committee on Social Welfare.

Senate Bill No. 346: By Senator Kraft—An act to add Division 10a, comprising Sections 685 to 687.7, inclusive, to the Vehicle Code, relating to the inspection of motor vehicles.

Referred to Committee on Transportation.

Senate Bill No. 347: By Senator Kraft—An act to add Section 13397.1 to the Health and Safety Code, relating to solvents in clothes cleaning establishments.

Referred to Committee on Public Health and Safety.

Senate Bill No. 348: By Senator Kraft—An act to add Division 15, comprising Sections 20700 to 20808, inclusive, and to add Sections 40009 and 40010 to Division 30 of the Health and Safety Code to consolidate and revise the law relating to the regulation of the sale of poisons, and to repeal acts and parts of acts specified herein.

Referred to Committee on Public Health and Safety.

Senate Bill No. 349: By Senator Desmond—An act to amend Section 2975 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 350: By Senator Desmond—An act to amend Section 3222 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 351: By Senator Desmond—An act to provide for the establishment, organization, government and powers of community service districts, authorizing such districts to levy taxes, and to incur bonded indebtedness for improvements.

Referred to Committee on Local Government.

Senate Bill No. 352: By Senator Williams—An act to add Section 13943.5 to the Government Code, relating to the collection of taxes, licenses, fees, or other money.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 353: By Senators Mayo, Slater, Burns, Rich, Deuel, Sutton, DeLap, Collier, Brown, Williams, Powers, McBride, Weybret, Dilworth, Salsman, Busch, Hatfield, Parkman, Tenney, McCormack, Dillinger, Carter, Keating, Crittenden, Breed, Jespersen, Kraft, O'Gara, Cunningham, Desmond, Ward, Judah, and Quinn—An act to add Chapter 3, comprising Sections 430 to 435.6, inclusive, to Part 1 of Division 1 of the Health and Safety Code, and to repeal Chapter 56 of the Statutes of the Fifty-sixth (First Extraordinary) Session of the Legislature, providing for a program of surveying hospital and health center facilities and of construction of additional hospital and health center facilities to be administered by the State Department of Public Health, implementing the Federal Hospital Survey and Construction Act, establishing the Advisory Hospital Council, and providing for state assistance to public agencies for the construction of hospitals and health centers.

Referred to Committee on Public Health and Safety.

Senate Bill No. 354: By Senator Jespersen—An act to add Section 11275 to the Government Code, relating to the administrative costs of state agencies.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 355: By Senators Jespersen, Salsman, O'Gara, Tenney, Burns, Desmond, and Kraft—An act to amend Section 18 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to applications for loans.

Referred to Committee on Financial Institutions.

Senate Bill No. 356: By Senators Jespersen, Salsman, O'Gara, Tenney, Burns, Desmond, and Kraft—An act to amend Sections 4 and 18 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans.

Referred to Committee on Financial Institutions.

Senate Bill No. 357: By Senators Jespersen, Salsman, O'Gara, Tenney, Burns, Desmond, and Kraft—An act to amend Section 10203.6 of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

Senate Bill No. 358: By Senators Hulse, Swing, and Hatfield—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights-of-way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, declaring the urgency thereof, and providing that this act shall go into effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 359: By Senator McCormack—An act to repeal Article 2, Chapter 7, Part 4, Division 5, of the Water Code, relating to the Revolving Fund of the Reclamation Board, and providing for the abolition of, and the disposal of the money in, said fund.

Referred to Committee on Water Resources.

Senate Bill No. 360: By Senators Jespersen, Salsman, O'Gara, Tenney, Burns, Desmond, and Kraft—An act to add Section 22.5 to an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to the use of the words "savings and deposits."

Referred to Committee on Financial Institutions.

Senate Bill No. 361: By Senator Desmond—An act to amend Section 14073 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 362: By Senator Mayo—An act to add Sections 31.5 and 34.5 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3930, 3946, 7966, 8720, 8721, and 8722, and to repeal Section 2838 of the Elections Code, relating to nominations and party conventions.

Referred to Committee on Elections.

Senate Bill No. 363: By Senator Mayo—An act to amend Section 2 and to repeal Section 3.5 of the Property Acquisition Act, relating to the Property Acquisition Board, declaring the urgency thereof, and providing this act shall take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 364: By Senator Williams—An act to amend Section 13942 of the Government Code, relating to authorizations by the State Board of Control discharging state agencies from accountability for the collection of taxes, licenses, fees, or other money.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 365: By Senator Williams—An act to add Section 13145 to the Government Code, relating to refunds.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 366: By Senator Slater—An act to add Section 119 to the Education Code, relating to the Secretary and Executive Officer of the State Board of Education.

Referred to Committee on Education.

Senate Bill No. 367: By Senator Slater—An act to amend Sections 186, 5962, 5963, 5964, 10116, 10117, 10118, 18101, and 18103 of the Education Code, all relating to the Department of Education.

Referred to Committee on Education.

Senate Bill No. 368: By Senator Deuel—An act to amend Section 5001 of, and to add Chapter 3.5, comprising Sections 5085 to 5094, inclusive, to Title 7 of Part 3 of, the Penal Code, relating to the work programs of the Department of Corrections in the prisons and institutions under the jurisdiction of the department, creating and prescribing the powers and duties of the Correctional Industries Commission, and making an appropriation.

Referred to Committee on Judiciary.

Senate Bill No. 369: By Senators Ward, DeLap, Hatfield, Dilworth, Kraft, Tenney, O'Gara, and Desmond—An act to amend Section 80 of the Military and Veterans Code, relating to the powers and duties of the Director of Veterans Affairs.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 370: By Senators Ward, DeLap, Hatfield, Dilworth, Kraft, Tenney, O'Gara, Quinn, and Desmond—An act to amend Section 64 of the Military and Veterans Code, relating to the Department of Veterans Affairs.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 371: By Senators Ward, DeLap, Hatfield, Dilworth, Kraft, Tenney, Quinn, and Desmond—An act to add Section 899 to the Military and Veterans Code, relating to veterans' education.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 372: By Senators Ward, DeLap, Hatfield, Dilworth, Kraft, Tenney, O'Gara, Quinn, and Desmond—An act to amend Sections 68 and 78 and to repeal Section 72 of the Military and Veterans Code, relating to the California Veterans Board and the Director of Veterans Affairs.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 373: By Senators Ward, Dilworth, Kraft, O'Gara, Tenney, Quinn, and Desmond—An act to amend Sections 690, 694, 695, 698, 699, 700, 802, 831, 842, 986.8, 986.9, 987, 987.1, 987.2, 987.3, 987.4, 987.5, 987.6, 987.7, 987.8, 987.9, 987.10, 988, 988.2, and 988.3 of the Military and Veterans Code, relating to the Veterans Welfare Board and Department of Veterans Affairs.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 374: By Senator Ward—An act to amend Sections 105 and 106 of the Revenue and Taxation Code, relating to the

definitions of improvements and personal property and, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 375: By Senator Desmond—An act to amend Sections 5002, 5050, and 5051 of the Public Resources Code, relating to the State Park System and Sutter's Fort property.

Referred to Committee on Natural Resources.

Senate Bill No. 376: By Senator Swing—An act making an appropriation to pay the claim of G. C. Kingman against the State of California.

Referred to Committee on Finance.

Senate Bill No. 377: By Senator Hatfield—An act to repeal Article 3 of, and to add Article 3 to, Chapter 3 of Division 1 of the Agricultural Code, relating to county agricultural affairs.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 378: By Senator Hatfield—An act to amend Section 29 of the California Water District Act, relating to California water districts and the apportionment of water of such districts.

Referred to Committee on Water Resources.

Senate Bill No. 379: By Senator Hatfield—An act to add Section 5006.5 to the Public Resources Code, relating to leasing land for state park purposes.

Referred to Committee on Natural Resources.

Senate Bill No. 380: By Senator Hatfield—An act to add Section 63.5 to the Agricultural Code, relating to the enforcement of the provisions of said code and for that purpose providing for increasing the salaries of county agricultural commissioners.

Referred to Committee on Agriculture.

Senate Bill No. 381: By Senator Busch—An act to add Section 13325 to the Government Code, relating to the approval of transactions by the Department of Finance.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 382: By Senators Dillinger, Jespersen, and Desmond—An act to amend Sections 2 and 18 of the Alcoholic Beverage Control Act and to add Sections 6.1 and 61.3 thereto, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 383: By Senator Desmond—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Referred to Committee on Local Government.

Senate Constitutional Amendment No. 5: By Senators Dillinger, Jespersen, and Desmond—Proposed amendment to Section 22 of Article XX of the Constitution, relative to intoxicating liquors.

Referred to Committee on Governmental Efficiency.

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have 400 additional copies of Senate Bills Nos. 343 and 344 printed.

Senator Jack B. Tenney Presiding

At 10.40 a.m., Senator Jack B. Tenney of the Thirty-eighth District, presiding.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 23—An act to amend Section 752 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to elections of boards of education in cities of the fifth class, declaring the urgency hereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 56—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 31—An act to amend Section 1187 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert ", declaring the urgency hereof, to take effect immediately."

Amendment No. 2

On page 2, line 9, of said bill, strike out ", which descrip-"; and strike out lines 10 to 13, inclusive.

Amendment No. 3

On page 1, line 4, of said bill, strike out "45", and insert "60".

Amendment No. 4

On page 3, line 15, of said bill, strike out "leading", and insert "lending".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 191—An act to amend Section 963 of the Agricultural Code, relating to seed potato test plats, declaring the urgency of this act, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 55—An act to amend Sections 11 and 44.2 of the Unemployment Insurance Act, relating to unemployment insurance, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Senator Dillinger moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, strike out lines 37 to 52, and insert:

"(c) If, by reason of an employee receiving wages from more than one employer during any calendar year after the calendar year 1916, the wages received by him during such year exceed three thousand dollars (\$3,000), and the sum of the amount of tax imposed by Section 44 plus the amount of contributions under Section 456, if any, deducted from such wages exceeds thirty dollars (\$30), the employee shall be entitled to a refund of the amount of such excess except as to any portion of such excess which is attributable to simultaneous coverage under two or more approved voluntary plans for unemployment compensation disability benefits. Refunds under this subdivision shall be made by the commission from the Disability Fund if, within six months after the calendar year in which the wages are received with respect to which refund is claimed, the employee makes a claim establishing his right thereto. No interest shall be allowed or paid with respect to any such refund. The commission shall in accordance with authorized regulations determine the portion of any such refund which is applicable to any voluntary plan for which wage deductions were made under Section 456, taking into account any case in which the rate of such deduction is less than 1 percent of wages. The commission shall assess and recover from the employer the amount so determined against any voluntary plan in respect to which wage deductions were made pursuant to Section 456. The provisions of Section 459 in respect to assessment and recovery of amounts paid by the Disability Fund shall apply to the assessments under this section."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 64—An act to amend Sections 164, 181, 222 of, to repeal Section 146.5 of, and to add Section 182.1 to, the Vehicle Code, relating to the registration and transfers of registration of vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 90—An act to amend Section 18059 of the Education Code, relating to the letting of contracts, extending the period within which the section is to remain in effect, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 367—An act to amend Section 1183.5 of the Civil Code, relating to the proof or acknowledgment of instruments, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 435—An act to add Sections 1160.5 and 1160.6 to the Harbors and Navigation Code, relating to pilots, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

Amendment No. 1

On page 1, line 19, of the printed bill, strike out "Fifty-Eighth".

Amendment No. 2

On page 1, line 20, of said bill, after "Legislature", insert "in 1949".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 257—An act to add Section 4041.21b to the Political Code and Section 26026 to the Government Code, relating to aid to the United States of America in the acquisition or improvement of government-owned airports and declaring the urgency thereof, to take effect immediately.

Motion to Re-refer Assembly Bill No. 257

Senator Cunningham moved that Assembly Bill No. 257 be re-referred to Committee on Local Government.

Motion carried.

THIRD READING OF SENATE BILLS

Senate Bill No. 154—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Mayo, McBride, McCormack, O'Gara, Powers, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 155—An act making an appropriation for mileage of the members and officers of the Senate, without regard to fiscal years, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 4—Relative to an appropriation for insect control in national forests.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating,

Kraft, Mayo, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—28.

NOLs—None.

Resolution ordered transmitted to the Assembly.

RESOLUTIONS

The following resolution was offered:

By Senator Hatfield:

Senate Resolution No. 38

Relating to the San Joaquin Experimental Range

WHEREAS, The San Joaquin Experimental Range of the United States Forest Service, Department of Agriculture, was established in 1935 in the County of Madera, State of California, for the major purposes of: (a) making studies of the proper utilization of natural range through conservation, reseeding, introduction of new species, fertilization, cultivation, and management, and (b) making studies of the proper management of livestock on the range; and

WHEREAS, The studies carried on at this station have proved to be and will continue to be of marked benefit to the livestock industry; and

WHEREAS, The studies can be most effectively and efficiently carried out and will best serve the livestock industry by planning full five year programs; now, therefore, be it

Resolved by the Senate of the State of California, That the President of the United States, the Congress of the United States and the Secretary of Agriculture be memorialized to appropriate additional and adequate funds each five years which funds shall be sufficient for the maintenance of the studies for five year periods; and, be it further

Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the President of the United States, to the President pro Tempore of the Senate of the United States, the Speaker of the House of Representatives, the Secretary of Agriculture and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and, on motion of Senator Hatfield, adopted.

REPORTS OF STANDING COMMITTEES

Committee on Finance

SENATE CHAMBER, SACRAMENTO, January 23, 1947

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 29

Assembly Bill No. 94

Assembly Bill No. 360

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bills ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 23, 1947

MR. PRESIDENT: The Committee on Rules has appointed Senator DeLap to serve as a member of the committee to investigate the housing problem in California, under the terms of Senate Concurrent Resolution No. 13, to fill the vacancy made by the resignation of Senator Ward.

POWERS, Chairman

MOTION TO PRINT PARTIAL REPORT

Senator Hatfield moved that the Partial Report of the Interim Committee on Agriculture and Livestock Problems be printed in the Journal and 2,000 additional copies of the report be printed in 10 point type.

Motion carried.

PARTIAL REPORT OF THE INTERIM COMMITTEE ON AGRICULTURE AND LIVESTOCK AND DAIRIES

To the Honorable Goodwin J. Knight, President, and to the Members of the Senate and to the Honorable Sam L. Collins, Speaker, and to the Members of the Assembly of the State of California

Under the provisions of Senate Concurrent Resolution No. 51, Statutes 1945, Resolution Chapter No. 141, this committee is authorized under Subsection No. 4 to study and analyze all facts relating to "present and contemplated activities of state institutions operating farms, dairies or other similar facilities."

In compliance with this your committee wishes to file a supplemental report to its partial report dated July 22, 1946, and a record of the action of the committee taken thereon.

This partial report completes the survey of the agricultural operations and the agricultural construction items set up in work orders and in the 1945-47 Budget for the institutions not covered in the previous report. The institutions that are covered herein are the two prisons of San Quentin and Folsom and Friot Ranch School for Boys as indicated in the letter of June 5, 1946, of the Subcommittee for the Northern California Institutions as published in our prior partial report.

The two following resolutions adopted by your committee are included as an integral part of this partial report as the specific recommendations of your committee.

AGRICULTURE AND LIVESTOCK PROBLEMS INTERIM COMMITTEE

By GEORGE HATFIELD, Senator, Chairman

SACRAMENTO, CALIFORNIA, 1947

RESOLUTION

**Agriculture and Livestock Problems Interim Committee Established by Senate
Concurrent Resolution No. 51, Statutes 1945, Resolution Chapter 141**

WHEREAS, The Ways and Means Committee of the Assembly in considering the Appropriation Bill for the Budget in the 1945 Regular Session had an understanding with the Department of Finance and with the administrative heads of the state agencies concerned, that no expenditures would be made for capital outlay for agricultural purposes to any state institution or agency until the Agriculture and Livestock Interim Committee had made an investigation and report on such proposed capital outlay expenditures; and

WHEREAS, The problem to be investigated was large and complicated and required a large amount of time and attention two subcommittees of this main committee, one to cover the institutions in Southern California composed of Assemblymen Thomas N. Erwin, Chairman, and George R. Butters, and Senator Ben Hulse, and the other for Northern California composed of Assemblyman George Clarke, Chairman, and Senators Fred Weybreit and Earl D. Desmond, were appointed to make this investigation and report to the main committee; and

WHEREAS, These subcommittees have spent many days in this investigation and have carefully reviewed and studied the problems involved and have received the cooperation and assistance of the heads of the departments and institutions concerned, the State Architect, the Department of Finance, the Agricultural Adviser of this department, the Legislative Auditor, and other persons having information useful in this study; and

WHEREAS, These subcommittees have filed with this committee full reports with the exception of San Quentin, Folsom and Fricot, which reports were to be subsequently filed; and

WHEREAS, Reports on these institutions have now been filed with this committee; be it

Resolved, That the Agriculture and Livestock Problems Interim Committee receive and adopt the supplemental report of the Northern California subcommittee of this committee covering San Quentin and Folsom Prisons and Fricot Ranch School for Boys.

Regularly moved, seconded and approved this twenty-second day of January, 1947, at Sacramento, California.

**AGRICULTURE AND LIVESTOCK PROBLEMS
INTERIM COMMITTEE**

By GEORGE HATFIELD, Senator, Chairman

SACRAMENTO, CALIFORNIA, 1947

RESOLUTION

**Agriculture and Livestock Problems Interim Committee Established by Senate
Concurrent Resolution No. 51, Statutes 1945, Resolution Chapter 141**

WHEREAS, The Ways and Means Committee of the Assembly in considering the Appropriation Bill for the Budget in the 1945 Regular Session had an understanding with the Department of Finance and with the administrative heads of the state agencies concerned that no expenditures would be made for capital outlay for agricultural purposes to any state institution or agency until the Agriculture and Livestock Problems Interim Committee had made an investigation and report on such proposed capital outlay expenditures; and

WHEREAS, The subcommittees appointed to make the study required have with the assistance of the heads of the departments and institutions concerned, the State Architect, the Department of Finance, the agricultural adviser of this department, the Legislative Auditor, and other persons having information useful in this study, made a diligent study of the problems involved in the agricultural operations of the institution and agencies of the State having agricultural operations and have filed a report which has been adopted by the full committee; be it

Resolved, That as an expression of the Legislature for the guidance of the Department of Finance and the administrative officers of the several state agencies having agricultural operations under this administration and for the purpose of establishing general principles for a basis of such operations and for future legislation effective in it, the Agriculture and Livestock Problems Interim Committee approves for these institutions the general recommendations set forth in the respective reports of the subcommittee published in the aforementioned report and resolves that this committee approves the specific recommendations for the three institutions listed in the supplemental report presented herewith; and be it further

Resolved, That a copy of this report be placed on file with the heads of the departments concerned, and that this supplemental report be published in both houses of the Legislature as a part of the Report of the Committee on Agriculture and Livestock Problems as established by Senate Concurrent Resolution No. 51, Statutes 1945, Resolution Chapter 141.

Regularly moved, seconded and approved this twenty-second day of January, 1947, at Sacramento, California.

**AGRICULTURE AND LIVESTOCK PROBLEMS
INTERIM COMMITTEE**

By GEORGE HATFIELD, Senator, Chairman

January 15, 1947

**SUPPLEMENTAL REPORT OF THE NORTHERN CALIFORNIA
SUBCOMMITTEE ON AGRICULTURE AND LIVESTOCK
PROBLEMS APPOINTED TO INVESTIGATE THE AGRICUL-
TURAL CONSTRUCTION ITEMS SET UP IN WORK ORDERS
AND IN THE 1945-47 BUDGET FOR THE SEVERAL STATE
INSTITUTIONS IN NORTHERN CALIFORNIA**

Subcommittee composed of Assemblyman George Clarke, Chairman,
and Senators Fred Weybret and Earl D. Desmond

*To: Senator George Hatfield, Chairman of the Agriculture and Live-
stock Problems Interim Committee established by Senate Concurrent
Resolution No. 51, Statutes 1945, Resolution Chapter 141*

DEAR SENATOR HATFIELD: Your subcommittee composed of the above
members has examined the agricultural operations at the following
institutions in the order named and on the dates indicated after each:

Fricot Ranch School for Boys, December 21, 1946.

Folsom State Prison, December 21, 1946.

San Quentin State Prison, December 22, 1946.

Your subcommittee by this inspection has completed a review of all
the institutions in Northern California having agricultural operations
in accordance with the resolution adopted in the partial report of
July 22, 1946.

The subcommittee feels that its investigation of these three insti-
tutions has been very worthwhile, both from the legislative and adminis-
trative standpoint. Some of the members of this subcommittee have pre-
viously inspected the agricultural operations at Folsom and Fricot
Ranch School for Boys. This made it possible to make a comparison and
to note the progress being made and also to note the results of the
services being rendered by the Agricultural Adviser for the Director of
Finance. The inspections were made in the same manner as previously
at the other institutions with similar results. The subcommittee viewed
at first hand all agricultural operations and the problems and benefits
which may be derived for the inmates and for the State which it recom-
mends be carefully considered.

The members of the subcommittee are ready to recommend a legisla-
tive policy as respects agriculture for these institutions. Particularly
the desirability of the coordination of the agricultural operations of
one institution with the others was more apparent to the members of
the subcommittee at this time than previously. The establishment of a
definite policy by the Legislature as respects agricultural operations at
the several state institutions appears to be particularly desirable.

As reported previously, the administrators of the institutions
inspected at this time stated that for the first time they were able to
present to the Legislature through a regular committee their agricul-
tural problems and had an opportunity to have recommended to them a
policy for their operations.

Throughout this inspection we were accompanied and assisted by Mr. R. B. Easson, Agricultural Adviser for the Director of Finance, Mr. P. T. Poage, Assistant State Architect, Mr. Rolland A. Vandegrift, Legislative Auditor, Mr. John H. Klinger, Deputy Director of the Department of Correction, and Mr. Ellsworth Frank, Administrative Officer of the Youth Authority, and at San Quentin by Mr. Clinton T. Duffy, Warden, and A. R. Todd, Business Manager, at Folsom by Robert A. Heinze, Warden, and at Fricot Ranch School for Boys by Mr. Orrin Bell, Assistant Superintendent, and Melvin Zwinge, Farm Manager.

The subcommittee received the fullest cooperation and most valuable assistance from all of these persons and wishes to express its sincere appreciation.

This entire investigation of the agricultural operations at San Quentin, Folsom and Fricot Ranch School for Boys was based upon the contemplated growth already determined for each institution; and should any material change be made in the inmate population, a corresponding increase or reduction to meet these changes should be made at each institution.

A review of the inspection and findings for each of these institutions, together with a full questionnaire covering the entire aspect of agriculture and livestock problems for each of these institutions, is presented herewith. A consolidated summary of recommendations for San Quentin, Folsom and Fricot Ranch School for Boys is presented immediately following this transmittal letter.

The summary recommendations covering the particular object and appropriation considered at each institution and as determined by the subcommittee is set up separately for each. Your subcommittee recommends that the entire supplemental report be approved and adopted by the full committee.

Respectfully submitted.

GEORGE A. CLARKE, Chairman
FRED WEYBRET
EARL D. DESMOND

CONSOLIDATED SUMMARY OF RECOMMENDATIONS

General Recommendations

The general recommendations published on pages 5, 6 and 7 in the partial report previously referred to are applicable to the three institutions covered in this report with certain modifications as follows: 1 (should be amended to provide for a legislative review each year in place of the biennium previously recommended in order to conform to the annual session of the Legislature; 2 (amended to provide for a questionnaire each year prior to the convening of the Legislature in order to comply with the requirement for an annual session), items 3, 4, 5, 10, 11, 12 and 14 identical as in first partial report. The other general recommendations previously made should be modified as follows for the three institutions now under consideration:

(6) The number of inmate workers assigned to agricultural operations and food preparation and preservation are adequate within their

abilities at these three institutions. However, at Folsom the supply was not always available when required. The inmates at Fricot, although of immature years, should be sufficient in number and strength to carry on the limited agricultural work there, but it is apparent that no definite plan has been worked out and therefore effective assignments have not been made. In fact, it was the conclusion of the subcommittee based on what they saw that this feature of the institution is not organized, and there is a definite deterioration in the institution in this respect from the conditions that existed when members of the subcommittee were there previously. Your subcommittee wishes to again emphasize that we recognize the primary consideration at these institutions is the welfare of the inmates. We again emphasize, however, that the economic production by state institutions of agricultural commodities for the use of the State is of importance. It is also important that the inmates of these three institutions in particular be kept active, and there appears to be no more profitable occupation than having them produce a part of their food supply.

It is recommended that the management of these institutions take every possible step to classify inmates and to discover those that are able to work and to assign them to the business manager for the necessary agricultural work, and that a coordinated plan of occupational therapy adjusted to the production need and the agricultural possibilities of each institution be developed and maintained. It was apparent that the assignment of inmates to working groups and their management was better developed at San Quentin than at the other two institutions. It should be noted, however, that San Quentin operations are much restricted on account of lack of land and water, the dairy, hog ranch and poultry plant practically constituting the entire activity. Assignment at Folsom of workers has materially improved in the last year but still has room for future improvement. There is a limitation, however, due to the character of the inmates. Assignment at Fricot leaves much to be desired and undoubtedly depends upon working out a plan of agricultural development which in turn probably depends on securing a proper permanent civil service agricultural instructor and manager. The subcommittee feels that it is unfortunate that due to certain civil service regulations an employee who appears to be competent and who is available at this institution cannot be retained, for it is particularly difficult to secure a competent man at this location which is somewhat isolated. The subcommittee believes that the Personnel Board should take such circumstances into account and provide the necessary relief and make it possible to meet such situations. Unless a practical and rational approach is used in circumstances of this sort, key positions are likely to remain vacant and the interests of the State suffer. It is the feeling of the subcommittee that routine red tape should be cut in favor of a practical solution.

The subcommittee feels that the whole agricultural program at the Fricot Ranch School for Boys needs a fresh study and the development of a complete plan. It is recommended that this be done in conjunction with the Agricultural Adviser to the Director of Finance.

An examination of the attached questionnaires discloses a considerable difference in the relative number of paid employees used in agricultural production. Fricot Ranch School for Boys and San Quentin each have only one paid employee for agricultural operations; Folsom has four.

San Quentin has done a remarkable job with its limited operations, particularly with its dairy and hog ranch with one paid employee. Four paid employees at Folsom is not excessive for the size of their agricultural operation. If they can secure comparable results with San Quentin they will show a further remarkable improvement and more than satisfactory results. One man should be able to manage successfully the limited agricultural operations possible at Fricot.

The conclusion in our first partial report that the cost of production is generally higher where there is a larger percentage of paid help is true at these three institutions.

The subcommittee emphasized for the other institutions that the recommended procedure in the assignment of inmate help need not and should not result in the retaining of good workers in the institution when they have progressed to a state when they should be eligible for discharge or parole. Since the discharge and parole of the inmates of these three institutions is handled by a separate board, there is little danger that an inmate will be retained solely because he is a good worker. The subcommittee feels that the proper development of occupational therapy through agricultural labor can very well provide a stepping stone for preparing the inmate for parole or discharge.

In our previous report under this same section it was pointed out that more inmate labor should be available in the Department of Corrections, that is, in the prisons and Youth Authority institutions, than in the institutions operated by the Department of Mental Hygiene. This inspection demonstrated that there is a large surplus of able-bodied labor at the two prisons visited. There should be sufficient available inmate labor of relatively high quality and with a crying necessity for something to do. It is recommended that this condition be taken into account in the agricultural operations and in the construction of buildings and facilities for agriculture. It is believed that at these three institutions practically all of the construction for agriculture, including the terracing and rebuilding of land, can be carried out by inmate labor.

Enough labor should be available at the two prisons to produce all of the agricultural products required, the only limitation being the availability of land and water. In some instances a surplus can be produced, as in the cannery operation at Folsom, for use at other institutions. It was noted by the subcommittee that the recommendation for the increased output of the cannery at Folsom to supply deficiencies at other institutions has been given consideration, and the largest pack in the history of the cannery was put up this year.

(7) In our first partial report general recommendation No. 7, your subcommittee stated that building costs for agricultural purposes at all of the institutions are considerably higher than they should be, thus making a capital investment much in excess of that required for the private operator. We are pleased to report that this condition does not generally apply to the three institutions now under discussion. The agricultural setup at the Fricot Ranch School For Boys remains practically as it was when taken over by the State, and the proposed buildings are to be built with inmate labor. The agricultural structures at the two prisons are more nearly in keeping with what the commercial operator would have. These buildings have been constructed with inmate labor, and we believe that this procedure should be used in the future. In fact,

the subcommittee noted that the fullest use had been made of available material, much of it salvaged, in constructing the facilities for the hog ranch both at Folsom and San Quentin. Dairy barns and milking houses were about what the commercial operator can afford. They seem to be quite satisfactory.

(8) The comment in the first partial report in general recommendation No. 8 calling attention to the fact that breeding sows are too heavy for many institutions must be modified for the three institutions now under consideration. This matter is under control. San Quentin in particular has worked out a satisfactory system by butchering sows after they have farrowed twice. Other institutions could undoubtedly follow this practice and materially increase the average number of pigs raised.

(9) General recommendation No. 9 in the partial report called attention to the fact that self-feeders were not used on any of the hog ranches and it was recommended they be used. San Quentin is making satisfactory use of self-feeders with hogs being fattened for butchering. The price per pound of producing pork at this institution, although they have no pasture at all and little garbage, is one of the lowest at any state institution.

(13) Both the Fricot Ranch School For Boys and Folsom are making considerable use of sheep to convert surplus green feed into meat following recommendation No. 13 in our partial report. Further development for both Folsom and Fricot along this line appears to be possible following general recommendation No. 13.

(15) The cannery situation for these three institutions is quite satisfactory. Folsom canning all that is required for both prisons. San Quentin produces no surplus available for canning. If the prison farm is established for San Quentin, study should be made of the desirability of having a cannery at San Quentin.

(16) The subcommittee wishes to add a new general recommendation to those previously presented in the partial report. The subcommittee is of the opinion that material values will be derived by the State if an annual or possibly a semiannual conference is held at Sacramento, or the most convenient central location or at some state institution where a demonstration is desired, of all the direct managers of agricultural operations at the several institutions. At some institutions it might be the business manager, at others the head farmer, or whoever is responsible at the institution for the management of agricultural operations. It is suggested that this conference be called by the Agricultural Adviser of the Department of Finance. This conference should serve two distinct purposes. First, it should give ample opportunity for the several agricultural managers to compare methods of management and results secured so that the successes, particularly the economies, secured at one institution may be shared with the others and the mistakes and failures that are made may be corrected. The second benefit would be to forward the coordination of agricultural operations so that not only would each institution be as nearly self-supporting as possible, but the whole program of production would be coordinated so as to make all institutions as nearly self-supporting as possible by providing that where a surplus could be produced due to particularly favorable conditions, such as walnuts at Camarillo, alfalfa at Napa State Farm, milk and beef at Chino, it could be supplied to the institutions where there are deficiencies.

(17) In the near future Folsom will be producing a surplus of valuable calves of high production strain and disease-free. San Quentin is now producing a surplus of valuable calves of high production strain and disease-free. For the time being this surplus can be used to build up a dairy herd at the new prison at Soledad. Some surplus can be sold to other state institutions. However, many of these institutions likewise have surplus animals. The state hospitals are now permitted to sell their surplus, and the dairy trade seeks an opportunity to secure these valuable animals. The restrictions on the sale of products produced in prisons except for state use prevents the free sale of the surplus from the prison herds and thereby prevents this general assistance to building up the herd commercial dairy productivity and profitableness.

The subcommittee recommends that legislation be enacted removing this restriction. Besides assisting the dairy industry in general, the ability to sell the surplus animals will encourage the prison administrators in the production of high producing herds, and the proceeds from the sale of valuable animals will materially cut production costs.

SPECIFIC RECOMMENDATIONS FOR EACH INSTITUTION

Fricot Ranch School for Boys

This institution is located a few miles from San Andreas, Calaveras County.

Although there are no appropriation items being held for this institution pending the recommendation of the Agriculture and Livestock Problems Interim Committee, it was the conclusion of the committee that all state institutions should be visited so as to secure an over-all picture and be able to make comparisons of the various operations and to make recommendations to the Legislature concerning agricultural operations.

Recommendations

(1) *Physical Condition.* The subcommittee is of the opinion that the physical condition at this institution has deteriorated somewhat since the prior visit of some of the members of the subcommittee. The grounds are not as well kept, some of the store houses are dirty and disorderly and the surplus materials in the power plant created a fire hazard. The very fine complement of machine tools in the shop did not show the appearance of being properly organized and used.

There did not appear to be as much evidence of industry at this institution as might be possible.

(2) *Poultry Plant.* The major concern in agricultural development was the establishment of an adequate poultry plant. This item is not provided for in the current or proposed budget. Land has been leveled for the plant at a site which appears to be satisfactory to the subcommittee. It is believed that this project can be carried on successfully by the boys confined to this institution who are in the age group below 17 years. The subcommittee recommends that a moderate sized poultry plant be constructed, and if it is possible, by the inmate labor with the assistance of instructors and material to be secured for this plant as soon as possible. It is recommended that properly selected chicks be secured and that the project be made one of instruction for the inmates to be carried out on the basis of a commercial plant operated to

show a profit as is essential for a private citizen engaging in the poultry business.

(3) *Orchard.* The school has a surplus of walnuts, and the proposal was made that some of these be pulled out and deciduous fruits, including apples, plums, pears, peaches, etc., be planted in their place. The subcommittee recommends against pulling out any of the growing walnut trees, for these are a profitable crop and can be harvested by the inmates. The subcommittee, however, recommends that all types of deciduous fruit trees that will grow in this area be planted and that the area adjacent to the walnut orchard that can be irrigated be used for this purpose, that the necessary land be cleared and the trees be purchased as soon as possible and planted, due consideration being given to irrigating them. Since this is primarily an annual labor job, these trees can be planted by the older boys as a work project.

The walnut trees growing on the place are long overdue for a pruning job. This can be undertaken on the basis of an educational project instructing these boys in pruning if the institution's employees are qualified instructors or farmers to handle such a project.

The marketing of surplus walnuts this year did not appear satisfactory. The price received was too small. It is suggested that an investigation be made of the proposal to have the State Purchasing Agent dispose of them to other institutions.

(4) *Sheep.* Fricot runs something like one hundred head of sheep on the grazing land. This appears to be a desirable project. However, only as many sheep should be kept continuously as can be fed on the natural pasture and such planted pasture as can be developed. It appears that there will be a surplus of natural pasture in the spring months. If this is so, a sufficient number of feeder lambs should be secured to consume this pasture. The school should not handle an excess number which have to be fed.

It is believed that some additional feed can be produced by constructing some terraces below the ditch which can be irrigated. These can be planted to ladino clover and other grasses. No great area can be utilized.

(5) *Hog Ranch.* The subcommittee is informed that it was proposed only to carry enough hogs to consume the garbage of the institution. The subcommittee concurs in this idea and feels that either the securing of enough feeder pigs or maintaining one or two brood sows will be sufficient. At present one sow is maintained with a high production of pigs secured.

(6) *Slaughter House.* The subcommittee was informed that the State Inspector had reported adversely on the slaughter house and had recommended that a very large expenditure be made. The subcommittee feels that the slaughter house should be cleaned up, but otherwise is satisfactory for the reason that probably not more than eighteen pigs will be slaughtered there in a year. The facilities are far better than are found on the average farm where the same volume of slaughtering takes place.

The cost of erecting a slaughter house to meet the requirements outlined by the State Inspector would be excessive as measured by the amount of slaughtering to be done. In no way can such an expenditure be justified. The subcommittee is of the opinion that the State Inspectors

should review the requirements they set up in conjunction with the amount of slaughtering which is to be done and the rules that they apply should be practical and in line with what would be required for the same volume of slaughtering as being conducted by a private school or private enterprise. Reasonable provision for sanitation should be required. The ordinary rule of law is that requirements should be only those that a reasonable man would dictate, and there should not be a recommendation for maximum requirements merely because it is a state activity.

(7) *Water Supply.* The subcommittee inspected the water supply in the reservoir and discussed the proposal that the reservoir be dredged. While the subcommittee felt it might be necessary and desirable to dredge out the reservoir to get rid of the debris and silt, they recommend that careful consideration of the cost be taken into account. It appears that some of the debris has found its way into the reservoir from the sidehill and that some has come down the ditch. If this reservoir is dredged out, the subcommittee recommends that a ditch with a sufficiently high embankment on the reservoir side be erected around the reservoir to catch all salvage deposits being washed down the hill. The subcommittee also recommends that a ditch coming into the reservoir empty first into a small pond with a gate outlet fitted with a satisfactory screen which will retain pine needles, leaves, etc., and prevent them from going into the reservoir. This small pond would act as a settling place for the debris, and it could be cleaned out often by the use of inmate labor and would not require the assistance of heavy machinery.

(8) *Garden.* The subcommittee believes that this institution can develop more individual gardens worked by the inmates in areas that could be irrigated from the ditch. These can be used as educational projects as well as yield fresh vegetables. A proper program of production makes it possible to have fresh vegetables a full 12 months of the year.

Folsom State Prison

There are no budget items or work orders pending for agricultural buildings and improvements at this institution which have been held in abeyance due to the agreement as respects such appropriations in the 1945-47 Budget. However, for reasons before stated, the subcommittee made an inspection of the agricultural operations at this institution.

Recommendations

(1) The subcommittee wishes first to make a comment and recommendation in general terms to the effect that the very noticeable improvement in the farm operations at Folsom which has occurred in the past few months be continued. Several members of the subcommittee had inspected the agricultural operations several months before and found conditions particularly unfavorable in the dairy and the hog ranch. Material improvement was noticed.

(2) *Barn.* One item which should be replaced and which was agreed to by the subcommittee is the barn that was burned down some months ago. This barn is needed for proper storage and operations.

(3) *Dairy.* The dairy shows considerable improvement. The corrals are cleaner and have been drained. However, one corral to the

west of the feed storage barn and the bull pens should be provided with more adequate drainage. The drainage from this cow corral should be diverted toward the river and not allowed to run down the road in front of the farm office. It appears that trench drains filled with fairly large crushed rock and sloping to the north coupled with periodical scrapping of the area as is carried on in the other corrals might solve the problem.

The recent use of the silo is commendable and plans should be made for its further use.

The dairy produces all the milk required and a sufficient surplus to raise calves for replacement. For the year ending June 30, 1946, milk cost \$0.2945 per gallon. While this is a favorable price, it is somewhat above the cost of San Quentin which was \$0.2795 per gallon. This is significant for San Quentin operates in a very restricted area with practically no opportunity of producing feed, has no range for its dry cows, no permanent pasture, and yet is able to make a considerably better record than Folsom. It is apparent that San Quentin culls closer and has a higher average production. The Folsom herd is both tuberculous and Bang's disease free. The herd is also 75 percent free from mastitis. The San Quentin herd is 100 percent free from mastitis. Further work will be necessary to eliminate mastitis as they have in San Quentin.

The subcommittee recommends that the splendid progress made in improving this herd in recent months be continued with energy and that the good practices followed at San Quentin be considered for adoption by Folsom.

In the near future Folsom will be producing a surplus of valuable calves of high production strain and disease free. Some surplus can be sold to other state institutions. However, many of these institutions likewise have surplus animals. The state hospitals are now permitted to sell their surplus, and the dairy trade seeks an opportunity to secure these valuable animals. The restrictions on the sale of products produced in prisons except for state use prevents the free sale of the surplus from the prison herds and thereby prevents this general assistance to building up the herds' commercial dairy productivity and profitability.

The subcommittee recommends that legislation be enacted removing this restriction. Besides assisting the dairy industry in general, the ability to sell the surplus animals will encourage the prison administrators in the production of high producing herds, and the proceeds from the sale of valuable animals will materially cut production costs.

(4) *Garden.* Since more garden area of good quality is urgently needed for the reason that most of the land at Folsom is shallow and of poor quality, it is suggested that consideration be given to making some fertile land for vegetables and other high value crops where it can be irrigated and managed advantageously. This can be done by building walls and filling in the soil with a relatively high proportion of scrapings from the corrals. If the built-up area is to be in excess of 18 inches, the bottom can be filled with prunings from the orchard and shrubbery about the institution and other compost material.

(5) *Hog Ranch.* The hog ranch operations also show very material improvement in recent months. The size of the litters has improved. The general health of the hogs is noticeably better and the entire management reflects considerable improvement. The production price of pork has

been brought down to \$0.2368 per pound. This is slightly above the cost at San Quentin where production conditions are more difficult with a very restricted area and no opportunity to produce more than a very limited amount of green feed. The subcommittee believes that with continued improvement in management, the cost of producing pork at Folsom can be materially reduced. The subcommittee suggests that a larger area be put in permanent pasture, such pasture to contain a high percentage of ladino clover so as to provide the necessary proteins. Since the soil is shallow and in some places somewhat rocky, it may be necessary to install overhead sprinkler systems in some of the area. In this way permanent pasture can be produced on the sidehills which will both make them productive and eliminate erosion. Terraces should be built where necessary.

This irrigated pasture should not have stock put on it while wet. This is particularly true with hogs for they will root up damp ground readily but are not as likely to do so when it is dry. Also, rooting can be avoided to a large degree by ringing all hogs placed on pasture.

More cement feeding areas should be constructed and proper drainage provided in some of the areas.

It is suggested that a supply of fresh earth be made available in the farrowing pens. This has been found advantageous at other institutions.

While the brood sows did not appear to be overly heavy, averaging from 350 to 400 pounds, the subcommittee believes that even better results can be secured if the average weight is kept lower, say an average of 300 pounds. The system used at San Quentin of only farrowing sows twice results in an average weight of 250 pounds. Excellent results have been secured under this plan.

Some additional shelter houses and particularly better shelter for the hogs being fattened appears to be desirable. The open shelter at San Quentin is inexpensive and very satisfactory.

The pork production required, according to the questionnaire which is attached, is 96,000 pounds, while only some 78,000 is being produced. It appears that the number of brood sows should be built up from the present inventory of 91 to the number necessary to produce all the pork required.

(6) *Poultry Plant.* The poultry plant handles only 1,300 layers which last year produced 20,000 dozen eggs. This was less than half of the number required. The cost per dozen is \$0.4249. This cost is higher than secured at several of the other institutions. It is recommended that the size of the poultry flock be increased to meet all requirements. This should result in reducing the cost per dozen. Unless such increase is made it will not justify a full-time employee for the poultry operations.

The proposal to build additional brooder houses should be gone into thoroughly with the Agricultural Adviser of the Department of Finance to determine whether this is necessary or if it is not better to secure chicks at intervals, brooding a smaller number at each time so as to provide a more continuous production of eggs. If this is not advisable the additional brooder houses should be completed and additional laying houses and the necessary yards should be added as soon as possible.

These buildings, as well as all others at Folsom, should be constructed by inmate labor. The subcommittee understands this to be the plan of the administration.

(7) *Sheep.* The area of Folsom is relatively large, being 1,313.3 acres. Buildings, lawns and shrubbery occupy only 130 acres. There are 657.7 acres in dry land pasture and 79.6 acres characterized as wasteland. This pasture land and wasteland produces a considerable amount of winter and spring feed. Much of this cannot be used because of lack of livestock. The subcommittee recommends that serious consideration be given to placing feeder lambs on this pasture in the late winter and early spring. As many lambs as can be carried on the pasture should be secured as early as possible, and when grown out and fattened they could be slaughtered and what cannot be consumed at once can be held in cold storage.

Additional lots, probably as many as 200 at a time, should be secured in succession as long as the available feed will carry them. If a small amount of ladino clover is available, even if it is not more than 10 acres, this can be used to top them off by placing the lambs on it for 10 days or two weeks just before they are fully grown out. The clover will then be fully revived before the next lot is ready to be placed on it. Lambs handled this way on natural pasture in successive lots and on irrigated pasture should have salt (half ground) with phenothiazine in proper proportions before them at all times so as to control the parasite hazard. This production should assist in the supply of meat and give more variety to the diet.

(8) *Farming Practices.* The subcommittee discussed the general farming practices at Folsom and had several specific recommendations to make.

They recommend that steps be taken at once to control erosion on the farm land and on the entire property. The decomposed granite soil washes away easily and wherever it is broken there is considerable erosion. Apparently little or no endeavor has been exercised in controlling erosion, and much of the best soil is washed off. Hay fields are plowed up and down the slope. There is no evidence of terracing, or dams or the planting of grass to control erosion. The subcommittee recommends that contour plowing be practiced, that is, plowing around the hill instead of up and down the slope. Also terraces should be constructed wherever there is serious danger from erosion and in some of the gullies some rock check-dams will assist in holding the soil. In some places the planting of grass would help control erosion. This grass would also provide some forage for sheep and cattle. The possibility of growing kukyu grass in the gullies where there is run-off might be tried.

The subcommittee recommends that more hay land be developed, for the purchase of hay is a very large item of cost. The largest possible amount of permanent pasture should also be developed. The development of some 65 acres of such pasture, as is planned by the institution, should cut down on the 700 tons of hay now purchased annually.

The subcommittee was surprised to find that the silo had not been used to any great extent until recently. They recommend that the fullest use be made of the silo and that plans be developed for growing the necessary ensilage. Oats and vetch should prove a satisfactory crop.

A definite plan for the development of more garden area should be laid out. A considerable amount of inmate labor can be used in developing such an area which will eventually yield large returns in vegetables produced.

(9) *Slaughter House.* The slaughter house at Folsom, while much less pretentious than at many other institutions, appears to be satisfactory. Some improvements and minor repairs and a full paint job would materially improve it. The minimum amount only should be spent on this slaughter house for it appears that eventually a new slaughter house will be required. This should be delayed until building prices are on a more normal basis. The present slaughter house with the remodeling and cleanup suggested will be satisfactory until that time. When the new kitchen and commissary is built at Folsom, adequate provision should be made for refrigeration, consideration being given then to increase slaughtering, including lambs, production of which was recommended previously.

San Quentin State Prison

There are no budget items or work orders pending for agricultural buildings and improvements at San Quentin which have been held in abeyance awaiting the investigation of the Agriculture and Livestock Problems Interim Committee. However, for reasons before stated, the subcommittee made an inspection of the agricultural operations at this institution.

Recommendations

(1) *Farm Operations.* The limited area of San Quentin and the lack of water at a reasonable price for irrigation restricts the agricultural operations at this institution to three major activities. These are the hog ranch, the dairy and the poultry plant. Even these operations are restricted and limited, and although surprisingly good results are being secured both in the hog ranch and the dairy, undoubtedly these could be carried on more economically and with better results if there was more space for handling them and sufficient suitable land particularly for the production of green feed.

In this respect the subcommittee recommends that the Agricultural Adviser of the Department of Finance, together with the Business Manager and Head Farmer, consider the possibility of securing a site for a prison farm close enough to San Quentin so that it can be operated by the prison with the fullest use of inmate labor and the minimum of free labor. Such investment should only be recommended if it clearly demonstrates its economic soundness.

(2) *Dairy.* The subcommittee was particularly impressed with the quality of the dairy and the results being secured. Although confined to a small area and with almost a complete absence of pasture, this dairy is in excellent shape and the herd is entirely free of tuberculosis and Bang's disease and mastitis. The herd is culled carefully with consistent eliminating of cows producing less than 11,000 pounds of milk and 440 pounds of butterfat annually. An excess of milk is produced over requirements and is sufficient to raise the necessary replacement calves.

The plan of sending your Leifers to Soledad to be kept until ready to return back to San Quentin as milk producers follows the recommendations made by the subcommittee in its first partial report for other institutions. This procedure should result in the lower cost of replacing cows, and the plan should be followed by other institutions.

The San Quentin herd is in the Marin County Cow Testing Association. This is a good procedure for its requires careful attention to testing which will result in keeping up a high producing herd.

The hay storage barn proposed to be built out of corrugated iron and to handle from 1,000 to 1,200 tons of hay proposed in the 1947-48 Budget is desirable. It is recommended, however, that the original estimate of \$35,000 be reduced to \$18,000 for the purchase of material and that the building be erected by the institution personnel and inmate labor.

The present barn should be repaired with a concrete floor and be rat-proof and this building used for grain storage and as a feed mixing plant. The estimated cost is \$7,500.

The area in front of the dairy containing approximately 20 acres should be further filled and leveled, and this should be planted to permanent pasture and irrigated from the farm reservoir which is supplied from run-off water. It is estimated that fencing, pipe and a watering system will cost approximately \$4,000. It is believed that this price can be reduced somewhat by the use of inmate labor.

The dairy barn and the calf barn should be further improved. The estimated cost is \$10,000. These are temporary structures and should be replaced by permanent structures unless it is decided to secure a prison farm where there is more area and the possibility of producing more feed.

Farm fences are apparently in need of repair. Before this is done a study should be conducted to determine the proper placing of the fences, and then necessary material should be purchased and fences put up with inmate labor.

Construction of a hay storage barn, repair to the grain storage barn, and construction of the new dairy barn should not be undertaken if a prison farm is to be secured but should be deferred pending its establishment and the determination of what will remain at the prison site itself. The irrigated pasture should be improved; or, if the dairy is moved, this can be used for vegetables.

The area now used for storing manure and the tideland immediately adjacent thereto can eventually be filled and also be developed into pasture land.

San Quentin is producing a surplus of valuable calves of high production strain and disease free. For the time being this surplus can be used to build up a dairy herd at the new prison at Soledad. Some surplus can be sold to other state institutions. However, many of these institutions likewise have surplus animals. The state hospitals are now permitted to sell their surplus, and the dairy trade seeks an opportunity to secure these valuable animals. The restrictions on the sale of products produced in prisons except for state use prevents the free sale of the surplus from the prison herds and thereby prevents this general assistance to building up the herds commercial dairy productivity and profitableness.

The subcommittee recommends that legislation be enacted removing this restriction. Besides assisting the dairy industry in general, the

ability to sell the surplus animals will encourage the prison administrators in the production of high producing herds, and the proceeds from the sale of valuable animals will materially cut production costs.

(3) *Hog Ranch.* The hog ranch at San Quentin is doing a particularly good job in a very limited area. The annual dress pork requirement is 190,000 pounds. In the fiscal year ending June 30, 1946, 159,000 pounds was produced at a cost of \$.233 per pound. Since that time production has been increased so that for the year 1946-47 production will probably reach 180,000 pounds. The subcommittee recommends that production be increased to meet the full requirements of the institution since this activity appears to be well-managed and is profitable. The capital investment at this institution, particularly for the hog ranch, is relatively small and is approximately in line with what the commercial producer can afford.

This institution has adopted a consistent policy of having brood sows farrow twice when they are then slaughtered. This keeps the average weight of brood sows down to 250 pounds. None are allowed to reach 350 pounds, maximum weight. This procedure results in smaller brood sows with larger litters and a larger number raised per litter. This institution demonstrates the desirability of adequate records and proper care of brood sows at farrowing time. Other institutions might follow with profit the procedure used at San Quentin at the hog ranch.

The subcommittee recommends that there be an expansion of the cement slabs, particularly in the growing pens so as to keep the pigs out of the mud, particularly when feeding. They also recommend a division of the growing pens for the smaller feeders so that they will not be crowded by the larger pigs. They also recommend placing the next largest pigs to those ready to kill closer to the garbage feed pens.

They also recommend that if possible some pasture be provided for the pigs.

(4) *Slaughter House.* The slaughter house at San Quentin in general appeared to be quite satisfactory. However, it should be plastered on the inside to form a smooth wall in order to meet the requirements of the State Inspector.

The arrangement to conserve the blood from slaughtering for hog feed is not entirely satisfactory since the drain is so low that if slaughtering takes place when the tide is in it is impossible to save it, for it drains into the high water and is washed out with the receding tide. It is suggested that an auxilliary trough running into containers can be made and used on the occasions when slaughtering takes place during the high tide. These containers can be emptied into the feed and this valuable by-product saved.

(5) *Poultry Plant.* The poultry operation at San Quentin is not completely satisfactory. The cost of the eggs per dozen for the fiscal year ending June 30, 1946, was \$.5388. This is considerably above the cost at Folsom which was \$.4243 which we believe can be reduced by enlarging the plant and better management. The subcommittee recommends that the poultry plant be cleaned up and that a study be made in cooperation with the Agricultural Adviser to the Director of Finance, to determine whether or not poultry can be profitably produced at San Quentin. If it

is determined it is profitable then the plant should be enlarged to provide for full production for the institution. The subcommittee suggests that comparison might be made with a poultry plant at Stockton to secure information on possible successful operation of the poultry plant.

**Questionnaire—A Summary of Agricultural Operations for the Committee
on Agriculture and Livestock Problems in Relation to Agricultural
Operations at State Institutions**

Date: January 14, 1947

1. Name of institution : Fricot Ranch School for Boys.
 - a. Superintendent : Orrin A. Bell.
 - b. Business manager : None.
2. Resident population (June 30, 1946) :
Male 101 ; Female _____ ; Total 101.
3. Total number of authorized positions June 30, 1946 : 22.
4. Acreage operated :

	Acres		Acres
Buildings, lawns, shrubs, etc. _____	20	Hog ranch (buildings and yards) _____	1
Farm (field crops) _____		Poultry ranch (buildings and yards) _____	1
Orchard _____	10	Stable _____	1
Vegetable garden _____	11	Cemeteries _____	
Pasture (dry land) _____	1,061	Watersheds _____	
Pasture (irrigated) _____		Wasteland _____	
Dairy (buildings and corrals) _____			
Total _____			1,105
Acreage leased by institution for agricultural use _____			
Acreage leased by institution to tenants _____			

	Authorized number	Actual number assigned June 30, 1946
5. Farm Personnel :		
Farm manager _____		
Head farmer _____		
Farm foreman _____		
Dairyman _____		
Assistant dairyman _____		
Milkers and milking machine operators _____		
Hog ranch operator _____		
Assistant hog ranch operator (farmhands) _____		
Livestock farmer _____		
Cattle herdsman _____		
Poultryman _____		
Assistant poultryman _____		
Crops farmer _____		
Vegetable gardener _____		
Assistant vegetable gardener _____		
Orchardman _____		
Assistant orchardman _____		
Farmhands _____		
Equipment operators (truck and tractor) _____		
Canningman _____		
Assistant canningman _____		
Blacksmith _____		
Part time _____		
Total _____		

6. Inmates assigned to agricultural work projects :

	<i>No. assigned June 30, 1946</i>	<i>Additional No. which can be used to advantage</i>
Dairy	-----	-----
Hog ranch	-----	-----
Poultry ranch	-----	-----
Vegetable garden	-----	-----
Orchard	-----	-----
Farm, general	10	None as presently organized
Cannery	-----	-----
-----	-----	-----
-----	-----	-----
Total	10	-----

7. Is the supply of inmate labor for agriculture use sufficient? Yes, for our purpose.

8. Is supply of inmate labor available when required? Yes.

DAIRY ENTERPRISE

9. Inventory, June 30, 1946

	<i>Number</i>		<i>Number</i>
Cows, milking	-----	Calves, weaned	-----
Cows, dry	-----	Calves, milkfed	-----
Heifers (2-year)	-----	Bulls, service	-----
Heifers (1-year)	-----	Bulls, immature	-----
Total	-----		-----

10. Institutions with dairies (year ending June 30, 1946) :

Milk requirements, gals.	-----	Is herd in cow-testing Assn.?	-----
Milk production, gals.	-----	Is herd T.B. free?	-----
Total cost of milk production	-----	Is herd Bangs disease free?	-----
Cost per gallon	-----	Percent of herd free from mastitis	-----
Value milk produced	-----	Are milking machines used?	-----
Number cull cows slaughtered	-----	Is milk pasteurized?	-----
Value cull cows slaughtered	-----	Are cows fed according to individual production records?	-----
Number veal calves slaughtered	-----	Skim milk used by calves (gal.)	-----
Total value veal calves slaughtered	-----	Whole milk used by calves (gal.)	-----
Value of hides sold	-----		
Total value of live-stock sold	-----		
Other	-----		

11. Institutions without dairies (year ending June 30, 1946) :

Total milk requirements (gals.)	10,464
Total cost of milk purchased	\$6,619 12
Cost per gallon (delivered)	

Same plus hauling from San Andreas 3 times per week

SWINE ENTERPRISE

12. Inventory, June 30, 1946: Breed—Duroc:

	<i>Number</i>		<i>Number</i>
Brood sows	1	Pigs, 100-225 lbs.	-----
Boars	-----	Hogs over 225 lbs.	-----
Suckling pigs	10		-----
Pigs under 100 lbs.	4		-----
Total	-----		15

13. Pork Production (F. Y. ending June 30, 1946) :

	Number		Number
Total lbs. dressed pork required	3,364	Total number pigs farrowed (June)	10
Total lbs. dressed pork produced on ranch	3,364	Total number suckling pigs died	
Total cost of pork production	\$53.42	Net number suckling pigs raised to weaner age	
Cost per pound .....	.015	Total feeder pigs purchased	8
Total value pork and products produced	647.58	Are electric brooders used?	
Total value livestock and products sold		Average wt. of brood sows	300
Number of sows farrowing (F.Y.)	1	Boars used (breed)	Duroc

BEEF CATTLE, SHEEP AND HORSES

14. Beef cattle inventory, June 30, 1946 :

	Number		Number
Cows		Cows in breeding herd	
Bulls, all ages		(Calves from breeding herd)	
Steers		Calves raised (F.Y.)	
Heifers		Calves died or lost (F. Y.)	
Calves		Net number calves raised (F.Y.)	
Feeder cattle purchased F. Y.			
Total lbs. dressed beef production (F.Y.)			
Total cost of beef production			
Total value of beef production			
Value beef by-products			

15. Sheep inventory, June 30, 1946 :

	Number		Number
Ewes		No. feeders purchased during F. Y.	
Rams		Total pounds dressed meat produced	1666
Lambs, feeder	40	From flock or from feeders purchased	
Total		Total cost of production	\$100.00
		Cost per pound .....	.06
		Value of production	246.02
		Value of wool	155.88
		Value of pelts	

16. Horse and mule inventory, June 30, 1946 :

	Total No.	No. unfit for use
Horses	1	
Colts		
Mules		
.....		
.....		

POULTRY, TURKEYS AND RABBITS

17. Poultry inventory, F. Y. to June 30, 1946:

Breed used for egg production: Leghorn

	<i>Number</i>		<i>Number</i>
Layers (over 6 mo.)	66	Total cost of production	818.69
Pullets (3 to 6 mo.)		Cost per dozen	1.36
Chicks and other stock		Total value of eggs produced	248.30
under 3 mo.		Total lbs. meat produced	1,557
Total doz. eggs		Value of stock slaughtered	447.72
required (F. Y.)	4,200	Are surplus eggs stored for	
Total doz. eggs		future use?	
produced (F. Y.)	602	If stored, indicate number	
		cases stored in 1946	

18. Turkey production, F. Y. to June 30, 1946:

Number of turkeys raised to maturity	
Total pounds (dressed wt.) requirements	
Total pounds (dressed wt.) produced	
Total cost of production	
Cost per pound	
Total value of production	

19. Rabbit production, F. Y. to June 30, 1946:

	<i>Number</i>	
Breeding does		Total lbs. dressed wt. produced (F. Y.)
Breeding bucks		Total cost of production
Weaned		(F. Y.)
Not weaned		Cost per pound
		Total value of production

20. Vegetable and miscellaneous field crop production for human consumption, F. Y. to June 30, 1946:

	<i>Tons</i>	<i>Total value</i>
Fresh vegetables	14	\$166.00
Beans (dried)		
Onions (dried)		
Potatoes (white)		
Potatoes (sweet)		
Tomatoes		

21. Field crop production, F. Y. to June 30, 1946:

	<i>Acres</i>	<i>Total production tons</i>	<i>Total values</i>
Alfalfa hay			
Oat and vetch hay			
hay			
Ensilage (corn)			
Ensilage (vetch and oats)			
Stock beets			
Barley			
Corn			
Milo (or other grain sorghum)			
Oats			
Wheat			
Straw			

22. Irrigation:

Source of water supply: Ditch from San Antonio creek.

Adequacy of water supply: Good excepting in August and September.

Amount of water (gallons or acre-foot, etc.) purchased for agricultural use: None.

Annual cost of water purchased for agricultural use: _____.

Irrigated pasture: None.

Yearly animal unit carrying capacity (per acre): None.

Dry land pasture: 1,019 acres.

Yearly animal unit carrying capacity (per acre): Very low.

23. Hay, grain and concentrate purchases, F. Y. to June 30, 1946:

(Do not include items produced on farm)

Estimate of purchases

F. Y. to June 30, 1946

F. Y. to June 30, 1947

Tons

Total cost

Tons

Hay and litter

Alfalfa hay

Oat and vetch hay

_____ hay

Straw

Other litter

Grains (whole, ground or rolled)

Barley

Milo or other sorghums

Oats

Wheat

Yellow corn

Commercial mixed mashes

Dairy

Hog

Poultry

Pellets (poultry or

rabbit)

Concentrates

Fish or meat meal

Soybean meal

Linseed meal

Cottonseed cake or meal

Beet pulp

Mill run

24. Fruit production, F.Y. to June 30, 1946:

(Acreage to nearest tenth of an acre indicate yields of apricots, peaches, pears, prunes, etc., on green fruit basis)

	Acres	Pounds	Total Value
Apples	_____	435	\$28.28
Figs	_____	155	15.50
Cherries	_____	_____	_____
Peaches	_____	135	8.90
Pears	_____	130	7.80
Plums	_____	195	9.75
Prunes	_____	_____	_____
Quince	_____	_____	_____
Grapefruit	_____	_____	_____
Lemons	_____	_____	_____
Oranges	_____	_____	_____
Blackberries, raspberries, boysenberries, youngberries, etc.	_____	_____	_____
Strawberries	_____	_____	_____
Grapes	_____	295	17.70
Filbert	_____	30	6.80
Walnuts	_____	1,788	410.98
Total	_____	3,183	505.80

25. Fruit dried (produced at institution and purchased for drying at institution) :

<i>Item</i>	<i>Tons</i>	<i>Total Value</i>
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----

26. Cannery Production, F. Y. to June 30, 1946 :

	<i>Unit</i>	<i>Number</i>	<i>Value</i>
Apples -----	-----	-----	-----
Apple Juice -----	-----	-----	-----
Apricots -----	-----	-----	-----
Asparagus -----	-----	-----	-----
Beans (string) -----	-----	-----	-----
Beets -----	-----	-----	-----
Berries -----	-----	-----	-----
Corn -----	-----	-----	-----
Grapes -----	-----	-----	-----
Peaches -----	-----	-----	-----
Pears -----	-----	-----	-----
Pickles -----	-----	-----	-----
Plums -----	-----	-----	-----
Sauerkraut -----	-----	-----	-----
Spinach -----	-----	-----	-----
Tomatoes -----	-----	-----	-----
Tomato puree -----	-----	-----	-----
Tomato juice -----	-----	-----	-----
Total -----	-----	-----	-----

27. Agricultural Products Purchased for Cannery Operations :

<i>Item</i>	<i>Tons</i>	<i>Total cost</i>
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----

28. Surplus Canned or Dried Fruit Products Sold to Other State Institutions :

<i>Item</i>	<i>Unit</i>	<i>Number</i>	<i>Total value</i>
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----

29. Surplus Stock or Agricultural Products Sold to Other State Institutions :
(Depts. of Corrections, Mental Hygiene, Youth Authority and Veterans' Affairs)

<i>Item</i>	<i>Amount</i>	<i>Total value</i>
Dairy stock and products -----	-----	-----
Poultry, eggs, turkeys -----	-----	-----
Hogs -----	-----	-----
Beef, cattle and sheep -----	-----	-----
Field crops -----	-----	-----
Fresh vegetables -----	-----	-----
Fresh or dried fruit -----	-----	-----

30. Surplus Stock or Agricultural Products Sold to State Institutions Other Than the Above and to the Public :
Walnuts.

31. Agricultural plan (fiscal year 1946-47) :

F. Y. 1945-46 Estimates F. Y. 46-47			F. Y. 1945-46 Estimates F. Y. 46-47		
Beef Cattle			Stock beets		
No. animals in breeding herd			Barley		
No. calves from breeding herd			Corn		
Percent calf crop			Grain Sorghums		
			Wheat		
Dairy					
Milk requirements (gals.)			Irrigated Pasture (Acreage)		
Av. number of cows (milking and dry)			Fruit acreage		
Percent replacement			Tree fruits		
Av. production per cow (lbs.)			Boysenberries, youngberries, etc.		
			Strawberries		
Poultry			Grapes (Table)		
Egg requirements (doz.)			Vegetable and Misc. field crop—acreage		
Av. number laying hens			Total acreage		
No. pullets 6 mo. old (for replacement)			Beans (dried)		
			Onions (dried)		
Rabbits			Potatoes (Irish)		
Av. number breeding does			Potatoes (Sweet)		
Meat production (lbs.)			Tomatoes (Fresh and Canning)		
Sheep			Purchase for Farm and Cannery Operations Tonnage		
Number	2	0	Alfalfa hay		
Number feeders purchased	0	200	Grain hay		
Swine			Oat hay and vetch		
Pork requirements (lbs.)	4,800	4,800	Ensilage (corn)		
Total animals slaughtered		17	Barley (grain)		
Total number pigs farrowed	11	8	Corn		
Av. number brood sows	1	1	Grain sorghum		
Turkeys			Wheat		
Requirements (dressed wt.)	200	200	Fruit for canning or drying (indicate kind and tonnage purchased)		
Turkeys raised (number)					
Field Crop (Acreage)					
Alfalfa			Vegetables and miscellaneous crops for canning (indicate kind and tonnage purchased)		
Grain hay					
Oats and vetch hay					
Ensilage (corn)					
Ensilage (oats and vetch)					

32. Farm buildings, equipment, machinery and stock inventory increases requested in biennial budget:

FRICOT RANCH SCHOOL FOR BOYS, Superintendent

**Questionnaire—A Summary of Agricultural Operations for the Committee
on Agriculture and Livestock Problems in Relation to Agricultural
Operations at State Institutions**

Date: November 29, 1946

1. Name of Institution: State Prison at Folsom.

a. Superintendent: Robert A. Heinze, Warden.

b. Business Manager: Arthur L. Oliver.

2. Resident Population (June 30, 1946):

Male, 1,990. Female, none. Total, 1,990.

3. Total number of authorized positions June 30, 1946: 243.

4. Acreage Operated:	<i>Acrea</i>		<i>Acrea</i>
Buildings, lawns, shrubs, etc.-----	130	Hog ranch (bldgs. and yards)-----	5
Farm (field crops)---	356	Poultry ranch (bldgs. and yards)-----	8
Orchard-----	39	Stable-----	-----
Vegetable garden-----	26	Cemeteries-----	-----
Pasture (dry land)---	65,747	Watersheds-----	-----
Pasture (irrigated)-----	-----	Wasteland-----	79.6
Dairy (bldgs. and corrals)-----	12		
Total-----			1,313.3
Acreage leased by institution for agricultural use-----			
Acreage leased by institution to tenants-----			

5. Farm Personnel:

	<i>Authorized number</i>	<i>Actual number assigned June 30, 1946</i>
Farm manager-----	-----	-----
Head farmer-----	1	1
Farm foreman-----	-----	-----
Dairyman-----	1	1
Assistant dairyman-----	-----	-----
Milkers and milking machine operators-----	-----	-----
Hog ranch operator-----	1	1
Assistant hog ranch operator (farmhands)-----	-----	-----
Livestock farmer-----	-----	-----
Cattle herdsman-----	-----	-----
Poultryman-----	1	1
Assistant poultryman-----	-----	-----
Crops farmer-----	-----	-----
Vegetable gardener-----	-----	-----
Assistant vegetable gardener-----	-----	-----
Orchardman-----	-----	-----
Assistant orchardman-----	-----	-----
Farmhands-----	-----	-----
Equipment operators (truck and tractor)-----	-----	-----
Canningman-----	-----	-----
Assistant Canningman-----	-----	-----
Blacksmith-----	-----	-----
Part time-----	-----	-----
Total-----	4	4

6. Inmates assigned to agricultural work projects:

	No. assigned June 30, 1946	Additional No. which can be used to advantage
Dairy	11	-----
Hog ranch	8	-----
Poultry ranch	5	-----
Vegetable garden	6	-----
Orchard	1	-----
Farm, general	36	-----
Cannery	123	} Industrial 40 } Activities
Cannery harvest	40	
-----	-----	-----
Total	230	-----

7. Is the supply of inmate labor for agricultural use sufficient? Yes.

8. Is supply of inmate labor available when required? Not always.

DAIRY ENTERPRISE

9. Inventory, June 30, 1946:

	Number		Number
Cows, milking	61	Calves, weaned	6
Cows, dry	39	Calves, milkfed	21
Heifers (2-year)	12	Bulls, service	3
Heifers (1-year)	59	Bulls, immature, steers	40
Total	-----		241

10. Institutions with dairies (year ending June 30, 1946):

Milk requirements, gals.	94,176	Is herd in cow testing assn. ?	No
Milk production, gals.	108,641	Is herd T.B. free?	Yes
Total cost of milk production	\$31,995 11	Is herd Bangs disease free?	Yes
Cost per gallon	2945	Percent of herd free from mastitis	75%
Value milk produced	48,018 84	Are milking machines used?	Yes
Number cull cows slaughtered	12	Is milk pasteurized?	Yes
Value cull cows slaughtered	2,110 58	Are cows fed according to individual production records?	Yes
Number veal calves slaughtered	2	Skim milk used by calves (gal.)	11,100
Total value veal calves slaughtered	112 32	Whole milk used by calves (gal.)	14,760
Value of hides sold	-----		
Total value of live- stock sold	2,222 90		
Other	-----		

11. Institutions without dairies (year ending June 30, 1946):

Total milk requirements (gals.)	-----
Total cost of milk purchased	-----
Cost per gallon (delivered)	-----

SWINE ENTERPRISE

12. Inventory, June 30, 1946: Breed—Duroc:

	Number		Number
Brood sows	91	Pigs, 100-225 lbs.	50
Boars	3	Hogs over 225 lbs.	73
Suckling pigs	128	-----	-----
Pigs under 100 lbs.	134		
Total	-----		479

13. Pork Production (F. Y. ending June 30, 1946) :

	<i>Number</i>		<i>Number</i>
Total lbs. dressed pork required	96,000	Total number pigs farrowed	508
Total lbs. dressed pork produced on ranch ..	78,726	Total number suckling pigs died	54
Total cost of pork production	\$18,645.93	Net number suckling pigs raised to weaner age ..	454
Cost per pound .....	.2368	Total feeder pigs purchased	
Total value of pork and products produced	15,139.37	Are electric brooders used?	No
Total value livestock and products sold ..	18,645.93	Average wt. of brood sows 350 50 400	
Number of sows farrowing (F. Y.) ..	80	Boars used (breed)	Duroc and Hampshires

BEEF CATTLE, SHEEP AND HORSES

14. Beef Cattle Inventory, June 30, 1946 :

	<i>Number</i>		<i>Number</i>
Cows	1	Cows in breeding herd ..	
Bulls, all ages		(Calves from breeding herd)	
Steers		Calves raised (F. Y.) ..	
Heifers		Calves died or lost (F. Y.) ..	
Calves		Net number calves raised (F. Y.) ..	
Feeder cattle purchased, F. Y.	1		<i>Slaughter only</i>
Total lbs. dressed beef production (F. Y.) ..			18,747
Total cost of beef production			
Total value of beef production			\$3,578.84
Value beef by-products			

15. Sheep Inventory, June 30, 1946 :

	<i>Number</i>		<i>Slaughter only</i>
Ewes		No. feeders purchased during F. Y.	
Rams		Total pounds dressed meat produced	2,468
Lambs		From flock or from feeders purchased	
Total		Total cost of production ..	
		Cost per pound	
		Value of production	\$333.18
		Value of wool	
		Value of pelts	
		Goats (old flock slaughtered) 2,223 lbs.	\$300.10

16. Horse and Mule Inventory, June 30, 1946 :

	<i>Total No.</i>	<i>No. unfit for use</i>
Horses	10	1
Colts	2	
Mules	7	7
.....		
.....		

POULTRY, TURKEYS AND RABBITS

17. Poultry Inventory, F. Y. to June 30, 1946:

Breed used for egg production: White Leghorn

	Number		Number
Layers (over 6 mo.)--	1,300	Total cost of production	10,669.20
Pullets (3 to 6 mo.)--		Cost per dozen--	4243
Chicks and other stock		Total value of eggs produced	8,412.37
under 3 mo.-----	1,674	Total lbs. meat produced--	3,912½
Total doz. eggs		Value of stock slaughtered	1,190.64
required (F. Y.)--	45,088	Are surplus eggs stored for	
Total doz. eggs		future use?-----	-----
produced (F. Y.)--	20,075½	If stored, indicate number	
		cases stored in 1946--	-----

18. Turkey Production, F. Y. to June 30, 1946:

Number turkeys raised to maturity-----	126
Total pounds (dressed wt.) requirements-----	1,885
Total pounds (dressed wt.) produced-----	1,904
Total cost of production-----	-----
Cost per pound-----	-----
Total value of production-----	\$782.80

19. Rabbit Production, F. Y. to June 30, 1946:

	Number		
Breeding does-----	12	Total cost of production	
Breeding bucks-----	6	(F. Y.)-----	-----
Weaned-----	75	Cost per pound-----	-----
Not weaned-----	7	Total value of production--	\$155.49
Total lbs. dressed wt.		Pigeons, 35 lbs.-----	7.00
produced (F.Y.)lbs.	691		

20. Vegetable and miscellaneous field crop production for human consumption, F. Y. to June 30, 1946:

	Tons	Total value
Fresh vegetables-----	18	\$1,884.10
Beans (dried)-----		-----
Onions (dried)-----	1	35.42
Potatoes (white)-----		-----
Potatoes (sweet)-----		-----
Tomatoes-----	6	958.32
Corn, ear, doz.-----	1,116	574.70

21. Field crop production, F. Y. to June 30, 1946:

	Acres	Total production tons	Total values
Alfalfa hay-----		-----	-----
Oat and vetch hay-----		35	\$844.80
----- hay-----		-----	-----
Ensilage (corn)-----		75	750.00
Ensilage (vetch and oats)-----		-----	-----
Stock beets-----		-----	-----
Barley-----		-----	-----
Corn-----		-----	-----
Milo (or other grain sorghum)-----		-----	-----
Oats-----		-----	-----
Wheat-----		-----	-----
Straw-----		-----	-----

22. Irrigation :

Source of water supply : Water pumped from American River.

Adequacy of water supply : Adequate.

Amount of water (gallons or acre-foot, etc.) purchased for agricultural use.
None.

Annual cost of water purchased for agricultural use : None.

Irrigated pasture : ----- Yearly animal unit carrying capacity

Dry land pasture : 657. (per acre) : -----

Yearly animal unit carrying capacity
(per acre) : .10.

23. Hay, grain and concentrate purchases, F. Y. to June 30, 1946 :

<i>(Do not include items produced on farm)</i>			<i>Estimate of purchases</i>
	<i>F. Y. to June 30, 1946</i>		<i>F. Y. to June 30, 1947</i>
	<i>Tons</i>	<i>Total cost</i>	<i>Tons</i>
Hay and litter			
Alfalfa hay -----	700	\$19,810.00	\$18,114.00
Oat and vetch hay -----	13	333.19	-----
----- hay -----	-----	-----	-----
Straw -----	-----	-----	-----
Other litter -----	-----	-----	-----
Grains (whole, ground or rolled)			
Barley -----	116	6,715.31	-----
Milo or other sorghums -----	40	2,140.00	-----
Oats -----	7½	540.00	-----
Wheat -----	50	3,024.00	-----
Yellow corn -----	10	584.00	-----
Rice hulls -----sacks	1,350	68.94	-----
Salt -----	3	48.44	-----
Commercial mixed mashes			
Dairy mix and beet pulp	180	4,979.50	5,279.50
Hog -----	41	3,033.00	-----
Poultry -----	83	6,502.60	-----
Pellets (poultry or rabbit) -----	4	244.00	-----
Concentrates			
Fish or meat meal -----	5	429.25	-----
Soybean meal -----	-----	-----	-----
Linseed meal -----	-----	-----	-----
Cottonseed cake or meal -----	5	338.50	-----
Beet pulp -----	-----	-----	-----
Mill run -----	3	148.02	-----
Grit -----	9	121.13	-----

24. Fruit production, F.Y. to June 30, 1946 :

(Acreage to nearest tenth of an acre indicate yields of apricots, peaches, pears, prunes, etc., on green fruit basis)

	<i>Acres</i>	<i>Tons</i>	<i>Total Value</i>
Apples -----	-----	-----	-----
Apricots -----	-----	5½	\$ 652.35
Cherries -----	-----	-----	-----
Peaches -----	-----	3½	175.00
Pears -----	-----	-----	-----
Plums -----	-----	6	1,156.95
Prunes -----	-----	-----	-----
Quince -----	-----	-----	-----
Grapefruit -----	-----	-----	-----
Lemons -----	-----	-----	-----
Oranges -----	-----	-----	-----
Blackberries, raspberries, boysenberries, youngberries, etc. -----	-----	-----	-----
Strawberries -----	-----	-----	-----
Grapes -----	-----	1½	73.98
Almonds -----	-----	-----	-----
Walnuts -----	-----	½	438.75
Total -----	-----	-----	-----

25. Fruit dried (produced at institution and purchased for drying at institution) :

<i>Item</i>	<i>Tons</i>	<i>Total Value</i>
Prunes -----	6	\$1,156.95
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----

26. Cannery Production, F. Y. to June 30, 1946 :

	<i>Unit</i>	<i>Number</i>	<i>Value</i>
Apples -----	No. 10 Cans	516	\$448
Apple Juice -----	No. 10 Cans	-----	-----
Apricots -----	No. 10 Cans	16,378	11,302
Asparagus -----	-----	-----	-----
Beans (string) -----	-----	-----	-----
Beets -----	-----	-----	-----
Berries -----	-----	-----	-----
Corn -----	-----	-----	-----
Grapes -----	-----	-----	-----
Peaches -----	No. 10 Cans	18,423	12,555
Pears -----	No. 10 Cans	7,675	5,359
Pickles -----	-----	-----	-----
Plums -----	No. 10 Cans	6,435	3,159
Sauerkraut -----	-----	-----	-----
Spinach -----	-----	-----	-----
Tomatoes -----	No. 10 Cans	20,423	9,195
Tomato Puree -----	No. 10 Cans	21,893	8,046
Tomato Juice -----	-----	-----	-----
Tomato Hot Sauce -----	No. 10 Cans	5,210	3,712
Tomato Catsup -----	No. 10 Cans	3,736	2,662
Total -----	-----	100,699	\$56,432

27. Agricultural Products Purchased for Cannery Operations :

<i>Item</i>	<i>Tons</i>	<i>Total cost</i>
Apricots -----	60.1	\$6,198
Peaches -----	85.5	3,922
Plums -----	16.2	1,136
Pears -----	42.3	1,346
Tomatoes -----	244.2	5,080

28. Surplus Canned or Dried Fruit Products Sold to Other State Institutions :

<i>Item</i>	<i>Unit</i>	<i>Number</i>	<i>Total value</i>
Apples -----	No. 10 Cans	-----	-----
Apricots -----	No. 10 Cans	11,670	\$8,063
Peaches -----	No. 10 Cans	11,706	8,081
Pears -----	No. 10 Cans	5,500	3,643
Plums -----	No. 10 Cans	4,613	2,260
Tomatoes -----	No. 10 Cans	45,050	20,568

29. Surplus Stock or Agricultural Products Sold to Other State Institutions :
-
- (Depts. of Corrections, Mental Hygiene, Youth Authority and Veterans' Affairs)

<i>Item</i>	<i>Amount</i>	<i>Total value</i>
Dairy stock and products -----	-----	-----
Poultry, eggs, turkeys -----	-----	-----
Hogs -----	Boar	One
Beef, cattle and sheep -----	-----	-----
Field crops -----	-----	-----
Fresh vegetables -----	-----	-----
Fresh or dried fruit -----	-----	-----

30. Surplus Stock or Agricultural Products Sold to State Institutions Other Than the Above and to the Public :

32. Farm buildings, equipment, machinery and stock inventory increases requested in biennial budget:

Plow—3 disc
Terracer blade
Homogenizer
2 Automatic Hog Feeders
Laying houses for poultry (4,000) poultis

(Signed)

ROBERT A. HEINZE, Warden

California State Prison—Folsom
(Agricultural Activities)

Dairy (Inventory of June 30, 1946) :

Cows, milking-----	61	Milk requirements—gals-----	94,176
Sows, dry-----	39	Milk produced—gals-----	108,641
Heifers (2 yrs.)-----	12	Cost of milk production-----	\$31,995
Heifers (1 yr.)-----	59	Cost per gallon-----	\$0.2945
Calves, weaned-----	6		
Calves—milkfed-----	21		
Bulls-service-----	3		
Total -----	201		

Herd improvement is underway and replacement program will result in removal of low producing animals and replacing with heifers now being raised. Plans are underway to have herd in cow testing association. Herd is T.B. and Bangs disease free, and 75 percent of herd is free from mastitis.

Hog Ranch (Inventory of June 30, 1946) :

Brood sows-----	91	Annual dressed pork require-	
Boars-----	3	ments-----	96,000 lbs.
Suckling pigs-----	128	Dressed pork produced dur-	
Pigs under 100-----	134 lbs.	ing F. Y.-----	78,726
Pigs 100-225-----	50	Total cost of production---	\$18,646
Pigs over 225-----	75	Cost of dressed pork per lb.--	\$0.2368
Total -----	479		

Dressed Beef Production Fiscal Year :

Total lbs. of dressed beef produced and slaughtered-----	10,747 lbs.
Cost per pound dressed beef-----	\$0.214

Sheep :

Total pounds of dressed produced -----	2,468 lbs.
Cost per pound-----	\$0.135

Goats (Old flock slaughtered) :

Total pounds of dressed meat-----	2,223 lbs.
Cost per pound-----	\$0.136

Poultry (Inventory June 30, 1946) :

Layers-over 6 mos.-----	1,300	Total eggs required F. Y.---	45,088 doz.
Stock under 3 mos.-----	1,674	Total eggs produced-----	20,075 doz.
		Total cost of production---	\$10,669
		Cost per dozen-----	\$0.4243

AGRICULTURAL PLANS

Plans are underway to increase the size of poultry flock to meet annual egg requirements. This increase should also result in lowering costs of production as present number is not sufficient to justify full time employee. Brooder houses will be completed and greater housing capacity will be available during spring of 1947.

The use of about 65 acres for irrigated pasture should result in reducing hay purchases which now is about 700 tons annually. It is also expected that silo at dairy will be used and plans call for filling this season with oat hay and vetch ensilage.

Minor repairs will be undertaken at hog ranch. No major construction is proposed as a new hog ranch will be located elsewhere prior to time the large dam is constructed.

Dairy and Poultry Products (Supplementary list from: 7-1-46 to 12-20-46) :

Cow beef.....	1,425 lbs.	= Value	\$274 31
Milk, whole.....	44,988 gals.	= Value	21,245 79
Cream	1,299 qts.	= Value	568 69
Milk, skimmed.....	3,198 gal.	= Value	800 50
Chickens, dressed.....	551 lbs.	= Value	210 60
Rabbits, Dressed.....	561 lbs.	= Value	189 11
Turkeys, dressed.....	5,240 lbs.	= Value	2,609 90

Supplementary Hog Inventory from July 1, 1946 to December 18, 1946:

Pork dressed.....	38,883 lbs.	= Value	\$9,799 80
Eggs—dozen	10,720	= Value	4,917 80

(Hog inventory as of December 1, 1946) :

Hogs, fat.....	80	Pigs, suckling.....	148
Hogs, over 100 lbs.....	94	Sows, brood.....	86
Pigs, weaned.....	208	Boars	4
Total			616

**Questionnaire—A Summary of Agricultural Operations for the Committee
on Agriculture and Livestock Problems in Relation to Agricultural
Operations at State Institutions**

Date: October 31, 1946

1. Name of Institution: California State Prison—San Quentin.

a. Superintendent: Clinton T. Duffy.

b. Business Manager: A. R. Todd.

2. Resident population (June 30, 1946) :

Male, 3,789. Female, none. Total, 3,789, plus 370 in camps.

3. Total number of authorized positions June 30, 1946:

4. Acreage operated:	<i>Acrea</i>		<i>Acrea</i>
Buildings, lawns,		Hog ranch (bldgs. and	
shrubs, etc.	155.1	yards)	
Farm (field crops) ..	23.0	Poultry ranch (bldgs. and	
Orchard	66.21	yards)	
Vegetable garden		Stable	
Pasture (dry land) ..		Cemeteries	2
Pasture (irrigated) ..		Watersheds	
Dairy (bldgs. and		Wasteland (tidal)	156.88
corrals)			
Total (Per County Assessor)			403.99

Acreage leased by institution for agricultural use.....

Acreage leased by institution to tenants.....

5. Farm Personnel:

	Authorized number	Actual number assigned June 30, 1946
Farm manager -----	-----	-----
Head farmer -----	-----	-----
Farm foreman -----	-----	-----
Dairyman -----	1	1
Assistant dairyman -----	-----	-----
Milkers and milking machine operators -----	-----	-----
Hog ranch operator -----	-----	-----
Assistant hog ranch operator (farmhands) -----	-----	-----
Livestock farmer -----	-----	-----
Cattle herdsman -----	-----	-----
Poultryman -----	-----	-----
Assistant poultryman -----	-----	-----
Crops farmer -----	-----	-----
Vegetable gardener -----	-----	-----
Assistant vegetable gardener -----	-----	-----
Orchardman -----	-----	-----
Assistant orchardman -----	-----	-----
Farmhands -----	-----	-----
Equipment operators (truck and tractor) -----	-----	-----
Canningman -----	-----	-----
Assistant Canningman -----	-----	-----
Blacksmith -----	-----	-----
Part time -----	-----	-----
Total -----	1	1

6. Inmates assigned to agricultural work projects:

	No. assigned June 30, 1946	Additional No. which can be used to advantage
Dairy -----	15	-----
Hog ranch -----	11	-----
Poultry ranch -----	6	-----
Vegetable garden -----	3	-----
Orchard -----	-----	-----
Farm, general -----	6	-----
Truck drivers -----	2	-----
Clerk -----	1	-----
Blacksmith (maintenance) -----	1	-----
Kitchen—cooks, waiters, dishwashers, janitor work -----	5	-----
Total -----	50	-----

7. Is the supply of inmate labor for agricultural use sufficient? Yes.

8. Is supply of inmate labor available when required? Yes.

DAIRY ENTERPRISE

9. Inventory, June 30, 1946:

	Number		Number
Cows, milking -----	96	Calves, weaned -----	5
Cows, dry -----	27	Calves, milkfed -----	9
Heifers (2-year) -----	9	Bulls, service -----	3
Heifers (1-year) -----	10	Bulls, immature -----	1
Total -----	-----		160

10. Institutions with dairies (year ending June 30, 1946) :

	Number		Number
Milk requirements,		Is herd in cow testing	
gals. -----	190,000	assn.? -----	Yes
Milk production, gals. --	177,619	Is herd T.B. free? -----	Yes
Total cost of milk		Is herd Bangs disease	
production -----	\$49,655 54	free? -----	Yes
Cost per gallon -----	2795	Percent of herd free from	
Value milk produced --	75,456 23	mastitis -----	95%
Number cull cows		Are milking machines	
slaughtered -----	13	used? -----	Yes
Value cull cows		Is milk pasteurized? -----	Yes
slaughtered -----	1,810 54	Are cows fed according to	
Number veal calves		individual production	
slaughtered -----	58	record? -----	Yes
Total value veal		Skim milk used by calves	
calves slaughtered --	1,838 16	(gal.) -----	550.75
Value of hides sold -----	91 40	Whole milk used by	
Total value of livestock		calves (gal.) -----	10,776
sold -----	200 00		
Other -----			

11. Institutions without dairies (year ending June 30, 1946) :

Total milk requirements (gals.) -----	
Total cost of milk purchased -----	
Cost per gallon (delivered) -----	

SWINE ENTERPRISE

12. Inventory, June 30, 1946: Breed—Crossbreed-Duroc Jersey-Purebred Poland China Boars :

	Number		Number
Brood sows -----	121	Pigs under 100 lbs. -----	344
Boars -----	4	Pigs, 100-225 lbs. -----	258
Suckling pigs -----	256	Hogs over 225 lbs. -----	
Total -----			983

13. Pork Production (F. Y. ending June 30, 1946) :

Total lbs. dressed pork		Total number pigs	
required -----	190,000	farrowed -----	1,250
Total lbs. dressed pork		Total number suckling	
produced on ranch --	159,302	pigs died -----	221
Total cost of pork		Net number suckling pigs	
production -----	\$36,477.25	raised to weaner age --	1,019
Cost per pound -----	23295	Total feeder pigs	
Total value pork and		purchased -----	
products produced --	30,132.20	Are electric brooders	
Total value livestock		used? -----	No
and products sold -----		Average wt. of brood sows	250 lbs.
Number of sows far-		Boars used (breed)	
rowing (F. Y.) -----	156	Poland China	

BEEF CATTLE, SHEEP AND HORSES

(None)

14. Beef Cattle Inventory, June 30, 1946:

	Number		Number
Cows	-----	Cows in breeding herd	-----
Bulls, all ages	-----	(Calves from breeding	-----
Steers	-----	herd)	-----
Heifers	-----	Calves raised (F. Y.)	-----
Calves	-----	Calves died or lost	-----
Feeder cattle	-----	(F. Y.)	-----
purchased (F. Y.)	-----	Net number calves raised	-----
		(F. Y.)	-----
Total lbs. dressed beef production	-----	(F. Y.)	-----
Total cost of beef production	-----		-----
Total value of beef production	-----		-----
Value beef by-products	-----		-----

15. Sheep Inventory, June 30, 1946:

(None)

	Number		Number
Ewes	-----	No. feeders purchased	-----
Rams	-----	during F. Y.	-----
Lambs	-----	Total pounds dressed meat	-----
	-----	produced	-----
Total	-----	From flock or from feeders	-----
		purchased	-----
		Total cost of production	-----
		Cost per pound	-----
		Value of production	-----
		Value of wool	-----
		Value of pelts	-----

16. Horse and mule inventory, June 30, 1946:

	Total No.	No. unfit for use
Horses	-----	-----
Colts	-----	-----
Mules	-----	-----
-----	-----	-----
-----	-----	-----

POULTRY, TURKEYS AND RABBITS

17. Poultry Inventory, F. Y. to June 30, 1946:

Breed used for egg production: White Leghorn

	Number		Number
Layers (over 6 mo.)	3,547	Total cost of production	\$10,137.55
Pullets (3 to 6 mo.)	-----	Cost per dozen	5388
Chicks and other stock	-----	Total value of eggs produced	\$8,223.25
under 3 mo., fryers	16	Total lbs. meat produced	5,374
Total doz. eggs	-----	Value of stock slaughtered	\$1,485.27
required (F. Y.)	-----		
Total doz. eggs	-----	Are surplus eggs stored for	
produced (F. Y.)	18,815	future use?	No surplus
		If stored, indicate number	-----
		cases stored in 1946	-----

18. Turkey Production, F. Y. to June 30, 1946:

Number of turkeys raised to maturity	-----
Totals pounds (dressed wt.) requirements	-----
Total pounds (dressed wt.) produced	-----
Total cost of production	-----
Cost per pound	-----
Total value of production	-----

19. Rabbit Production, F. Y. to June 30, 1946:

Number		
Breeding does	-----	Total lbs. dressed wt.
Breeding bucks	-----	produced (F. Y.)
Weaned	-----	Total cost of production
Not weaned	-----	(F. Y.)
		Cost per pound
		Total value of production

20. Vegetable and miscellaneous field crop production for human consumption, F. Y. to June 30, 1946:

	Tons	Total value
Fresh vegetables	-----	-----
Beans (dried)	-----	-----
Onions (dried)	-----	-----
Potatoes (white)	-----	-----
Potatoes (sweet)	-----	-----
Tomatoes	-----	-----

21. Field crop production, F. Y. to June 30, 1946:

	Acres	Total production tons	Total values
Alfalfa hay	-----	-----	-----
Oat and vetch hay	-----	-----	-----
----- hay	-----	-----	-----
Ensilage (corn)	-----	-----	-----
Ensilage (vetch and oats)	-----	-----	-----
Stock beets	-----	-----	-----
Barley	-----	-----	-----
Corn	-----	-----	-----
Milo (or other grain sorghum)	-----	-----	-----
Oats	-----	-----	-----
Wheat	-----	-----	-----
Straw	-----	-----	-----

22. Irrigation:

Source of water supply:	-----
Adequacy of water supply:	-----
Amount of water (gallons or acre-foot, etc.) purchased for agricultural use:	-----
Annual cost of water purchased for agricultural use:	-----
Irrigated pasture:	Yearly animal unit carrying capacity (per acre): -----
Dry land pasture:	Yearly animal unit carrying capacity (per acre): -----

23. Hay, grain and concentrate purchases, F. Y. to June 30, 1946:

(Do not include items produced on farm)

	F. Y. to June 30, 1946		Estimate of purchases
	Tons	Total cost	F. Y. to June 30, 1947 Tons
Hay and litter			
Alfalfa hay	832	\$24,211.20	1,000
Oat and vetch hay			
Straw	141	2,820.00	100
Other litter			
Grains (whole, ground or rolled)			
Barley	462,435	15,029.14	500,000 or replace 60% with corn 200,000
Milo or other sorghums	169,300	4,631.25	or replace 20% with corn 80,000
Oats	55,700	1,754.55	or replace with corn 250,000
Wheat	250,250	8,448.87	or replace 20% with corn 400,000
Yellow corn			if the above percentage is taken from other feed
Commercial mixed mashes			
Dairy	647,100	20,373.91	650,000 (would like to mix our own)
Hog	179,210	5,377.85	same in corn
Poultry	98,600	4,797.45	100,000
Pellets (poultry or rabbit)	85,900	3,114.25	90,000
Concentrates			
Fish or meat meal	57,100	2,458.13	60,000
Soybean meal		66.77	20,000
Linseed meal	2,200	642.88	20,000
Cottonseed cake or meal	19,600	384.00	40,000
Beet pulp	13,000		
Mill run			

In addition to all shown above, we have made purchases of charcoal, oystershell and limestone flour, minerals, oystershell, whey grits, rice hulls weighing a total of 39,116 lbs. at cost of \$1,564.64.

24. Fruit production, F.Y. to June 30, 1946: (None)

(Acreage to nearest tenth of an acre indicate yields of apricots, peaches, pears, prunes, etc., on green fruit basis)

	<i>Acres</i>	<i>Tons</i>	<i>Total Value</i>
Apples -----	-----	-----	-----
Apricots -----	-----	-----	-----
Cherries -----	-----	-----	-----
Peaches -----	-----	-----	-----
Pears -----	-----	-----	-----
Plums -----	-----	-----	-----
Prunes -----	-----	-----	-----
Quince -----	-----	-----	-----
Grapefruit -----	-----	-----	-----
Lemons -----	-----	-----	-----
Oranges -----	-----	-----	-----
Blackberries, raspberries, boysenberries, youngberries, etc.-----	-----	-----	-----
Strawberries -----	-----	-----	-----
Grapes -----	-----	-----	-----
Almonds -----	-----	-----	-----
Walnuts -----	-----	-----	-----
Total -----	-----	-----	-----

25. Fruit dried (produced at institution and purchased for drying at institution):

<i>Item</i>	<i>Tons</i>	<i>Total Value</i>
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----

26. Cannery Production, F. Y. to June 30, 1946:

	<i>Unit</i>	<i>Number</i>	<i>Value</i>
Apples -----	-----	-----	-----
Apple juice -----	-----	-----	-----
Apricots -----	-----	-----	-----
Asparagus -----	-----	-----	-----
Beans (string) -----	-----	-----	-----
Beets -----	-----	-----	-----
Berries -----	-----	-----	-----
Corn -----	-----	-----	-----
Grapes -----	-----	-----	-----
Peaches -----	-----	-----	-----
Pears -----	-----	-----	-----
Pickles -----	-----	-----	-----
Plums -----	-----	-----	-----
Sauerkraut -----	-----	-----	-----
Spinach -----	-----	-----	-----
Tomatoes -----	-----	-----	-----
Tomato Puree -----	-----	-----	-----
Tomato Juice -----	-----	-----	-----
Total -----	-----	-----	-----

27. **Agricultural Products Purchased for Cannery Operations :**

<i>Item</i>	<i>Tons</i>	<i>Total cost</i>
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----

28. **Surplus Canned or Dried Fruit Products Sold to Other State Institutions :**

<i>Item</i>	<i>Unit</i>	<i>Number</i>	<i>Total value</i>
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----

29. **Surplus Stock or Agricultural Products Sold to Other State Institutions :**

(Depts. of Corrections, Mental Hygiene, Youth Authority and Veterans' Affairs)

<i>Item</i>	<i>Amount</i>	<i>Total value</i>
Dairy stock and products -----	-----	-----
Poultry, eggs, turkeys -----	-----	-----
Hogs -----	-----	-----
Beef, cattle and sheep -----	-----	-----
Field crops -----	-----	-----
Fresh vegetables -----	-----	-----
Fresh or dried fruit -----	-----	-----

30. **Surplus Stock or Agricultural Products Sold to State Institutions Other Than the Above and to the Public :**

31. Agricultural plans (Fiscal Year 1946-47) :

<i>F. Y. Estimates</i> 1945-46 <i>F. Y. 46-47</i>			<i>F. Y. Estimates</i> 1945-46 <i>F. Y. 46-47</i>		
Beef Cattle			Stock beets	-----	-----
No. animals in breeding herd	-----	-----	Barley	-----	-----
No. calves from breeding herd	-----	-----	Corn	-----	-----
Percent calf crop	-----	-----	Grain sorghums	-----	-----
			Wheat	-----	-----
Dairy			Irrigated pasture (acreage)	-----	-----
Milk requirements (gals.)	190,000	200,000	Fruit acreage	-----	-----
Av. number of cows (milking and dry)	120	130	Tree fruits	-----	-----
Percent replacement	-----	-----	Boysenberries, youngberries, etc.	-----	-----
our heifers replace culls with purebreds	-----	-----	Strawberries	-----	-----
Av. production per cow (lbs.)	-----	-----	Grapes (table)	-----	-----
Milking and Dry String	12,729.3	plus 10%	Vegetables and miscellaneous field crop —acreage	-----	-----
Poultry			Total acreage	-----	-----
Egg requirements (doz.)	80,000	85,000	Beans (dried)	-----	-----
Av. number laying hens	3,000	3,500	Onions (dried)	-----	-----
No. pullets 6 mo. old (for replacement)	-----	-----	Potatoes (Irish)	-----	-----
will purchase 6,000 chicks	-----	-----	Potatoes (sweet)	-----	-----
Rabbits			Tomatoes (fresh and canning)	-----	-----
Av. number breeding does	-----	-----	Purchases for farm and cannery operations tonnage	-----	-----
Meat production (lbs.)	-----	-----	Alfalfa hay	900 tons	1,000 tons
Sheep			Grain hay	-----	-----
Number	-----	-----	Oat hay and vetch	-----	-----
Number feeders purchased	-----	-----	Ensilage (corn)	-----	400,000 lbs
Swine			Barley (grain)	462,435 lbs.	-----
Pork requirements (lbs.)	190,000	206,000	depends on corn availability	-----	-----
Total animals slaughtered	736	797	Corn	-----	-----
Total number pigs farrowed	1,250	1,354	Grain sorghum	169,300	-----
Av. number brood sows	120	130	depends on corn availability	-----	-----
Turkeys			Wheat	250,250	-----
Requirements (dressed wt.)	-----	-----	Depends on corn	-----	-----
Turkeys raised (number)	-----	-----	In the above we will use 60% less barley and 20% less ground milo if corn is available.	-----	-----
Field crop (acreage)			Fruit for canning or drying (indicate kind and tonnage purchased)	-----	-----
Alfalfa	-----	-----	See all purchases for Fiscal Year 1945-1946 under Section No. 23. Our anticipated purchases will be much the same excepting the substitute of corn and replacement of commercial hog mix. If we had linseed meal, cottonseed meal, coconut meal, barley rolled and ground, beet pulp and salt we would make our own dairy mash.	-----	-----
Grain hay	-----	-----	Vegetables and miscellaneous crops for canning (indicate kind and tonnage purchased)	-----	-----
Oats and vetch hay	-----	-----		-----	-----
Ensilage (corn)	-----	-----		-----	-----
Ensilage (oats and vetch)	-----	-----		-----	-----

Note: Mr. F. W. A. Cording of the San Quentin Ranch would like to mix his own Dairy Mash as he used to when the necessary ingredients were available. The following is his formula for the Dairy Mash he would like to have:

Feed Ration for Milking String (1 ton mix):

	<i>Lbs.</i>		<i>Lbs.</i>
Rolled barley-----	500	Rice bran-----	200
Beet pulp-----	400	Cottonseed meal-----	100
Coconut meal-----	300	Linseed meal-----	100
Ground oats-----	200	Salt-----	20
Wheat bran-----	200		
			<u>2,020</u>

The above ratio could be substituted for an approximate 600,000 pounds of Dairy Mash required during a fiscal year.

He would also like to make his own calf mix as follows:

Feed Mix for Calves

	<i>Lbs.</i>		<i>Lbs.</i>
Beet pulp-----	300	Linseed meal-----	100
Ground oats-----	400	(ManAmar)-----	100
Corn meal-----	200	Salt-----	13
Wheat bran-----	200		
			<u>1,313</u>

We would use about 6,000 pounds of Calf Meal in a year.

32. Farm buildings, equipment, machinery and stock inventory increases requested in biennial budget:

	<i>1947-1948 Fiscal Year</i>	<i>1948-1949 Fiscal Year</i>
Farm and processing		
Dairy		
Replacements		
Miscellaneous-----	\$100 00	\$100 00
Total-----	\$100 00	\$100 00
Hog Ranch		
Replacements		
Miscellaneous-----	\$50 00	\$50 00
Boar, breeding-----	85 00	85 00
Total-----	\$135 00	\$135 00
Poultry Ranch		
Replacements		
Miscellaneous-----	\$50 00	\$50 00
Chicks, baby-----	\$6,000-1,500 00	\$6,000-1,500 00
Total-----	\$1,550 00	\$1,550 00
Farms, General		
Replacements		
Typewriter-----	\$115 00	
Truck, 2 ton, Dump-----	3,000 00	
Total-----	\$3,115 00	

Agricultural Activities, Fiscal Year 1945-1946

California State Prison, San Quentin

CLINTON T. DUFFY, Warden

Dairy:

Stock Inventory June 30, 1946:

Cows, milking.....	96	Calves, weaned.....	5
Cows, dry.....	27	Calves, milkfed.....	9
Heifers (2 yr.).....	9	Bulls, service.....	3
Heifers (1 yr.).....	10	Bulls, immature.....	1
Total			160

(Stock numbers are gradually being increased in order to fill annual requirements.)

Milk requirement, gallons_ 190,000

Cost of milk production_ \$49,655

Milk production, gallons_ 177,619

Cost per gallon_ \$0.2795

The San Quentin herd is in the Marin Cow Testing Association, herd is T.B. and Bangs disease free, and is now 100 percent free from mastitis. The selection program underway consists of elimination from the herd those cows producing less than 11,000 pounds of milk and 440 pounds of butterfat annually. Herd now consists of 94 purebreds and 87 grades. At the present time 22 young heifers from the herd are at Soledad where they will be kept until ready to bring back to San Quentin.

Hog Ranch:

Stock Inventory June 30, 1946:

Brood sows	121	Pigs under 100 lbs.....	344
Boars	4	Pigs 100-225 lbs.....	258
Suckling pigs.....	256		
Total			983

(Stock inventories now vary from 1,000 to 1,200 animals. Plans call for production of over 180,000 pounds of dressed pork 1946-47 Fiscal Year.)

Annual dressed pork requirements..... 190,000 lbs.

Dressed pork production during fiscal year..... 159,302 lbs.

Total cost of pork production..... \$36,477

Cost of dressed pork per pound..... \$ 0.233

Plans are underway to improve hog ranch by repairing buildings and concreting yards.

Poultry Ranch:

Stock Inventory June 30, 1946:

Layers (over 6 months old).....	3,547
Total dozen eggs produced fiscal year.....	18,815
Total cost of production.....	\$10,137
Cost per dozen.....	\$0.53

(Excess production value, dairy, hogs and poultry 1945-46 was \$16,807 with production prices at 43 cents per gallon for milk, dressed pork at \$0.192 per pound, and eggs at 40 cents per dozen.)

Vegetable Production:

Vegetable production is of very little consequence at San Quentin. The annual requirements for a population of 4,300 persons (inmates and employees) is 624 tons. The vegetable production at the Soledad Medium Security Prison has been planned to partially handle requirements at San Quentin.

Agricultural Construction Items, 1947-48 Budget:

Hay storage barn at ranch-----	\$15,000
A suitable corrugated iron hay storage shed to handle 1,000 to 1,200 tons desirable as present building not suitable and is planned for other purposes. A 70 x 150-10,500 square foot building capable of handling tonnage has been estimated as costing \$3 per square foot. In the event material can be purchased at a reasonable price, building can be erected by personnel and considerable saving made.	
Repair of grain storage barn-----	7,500
(In the event of a hay storage barn being authorized, it is proposed that barn now used for storage will be repaired by constructing a concrete floor and by rat proofing. This building to be used for grain storage and mixing of feed for dairy and hogs.)	
Irrigated pasture (pipe, fencing, water troughs and miscellaneous equipment)-----	4,000
(The acreage in front of dairy containing about 20 acres to be leveled and if water is available from farm reservoir, the acreage will be planted to irrigated pasture.)	
Dairy barn (for cows and calves)-----	10,000
(Present barns are of temporary construction and not suitable.)	
Cement work at hog ranch-----	5,000
(For material to repair buildings and construct concrete yards in pens.)	
Farm fencing-----	7,500
(Farm fences are in need of repair and several areas need new fences. It is proposed to conduct a study relative to proper placement of fences at farm prior to undertaking work.)	

ADJOURNMENT

At 11.05 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Friday, January 24, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY

NINETEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, January 24, 1947

The Senate met at 10 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, and Watson—33.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Hulse, on motion of Senator McBride, due to illness.

Senator Williams, on motion of Senator McBride, due to legislative business.

Senator Sutton, on motion of Senator McBride, due to legislative business.

Senator DeLap, on motion of Senator McBride, due to legislative business.

Senator Weybret, on motion of Senator Powers; due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. J. Paul Elliott of Los Angeles.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. J. F. Merchant of Crockett, Mr. C. W. Crozer of Benecia, Mr. Burton M. Travis of Sonoma, Mr. A. L. Silland and Mr. Henry Berg, both of Fresno, and Mr. Hal Beaty of Fresno.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Burton Travis of Forestville.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. F. B. Hart of North Sacramento.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Roger T. Foley of Reno, Nevada, and Mrs. Betty Baseel of Sacramento.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 154
Senate Bill No. 155

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 8
Senate Concurrent Resolution No. 14

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 372
Assembly Bill No. 374
Assembly Bill No. 403

Assembly Bill No. 611
Assembly Bill No. 686

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 372—An act authorizing the Attorney General to represent the Indians of this State before the Indian Claims Commission, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 374—An act making appropriation to the Attorney General for appearing as counsel for the Indians of the State of California before the Indian Claims Commission, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 403—An act making an appropriation in augmentation of the appropriation in Item 249 of the Budget Act of 1945, for compensation benefits to state officers and employees, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 611—An act to add Article 4 to Chapter 1, Part 3, Division 2, of the Insurance Code, relating to insurance, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Financial Institutions.

Assembly Bill No. 686—An act to add Section 21189 to the Water Code, relating to irrigation districts, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Water Resources.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 11

Assembly Joint Resolution No. 14

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

Assembly Concurrent Resolution No. 11—Relative to the continuance of the Joint Committee on Preschool and Primary Training created by Resolutions Chapter No. 60 of the 1946 (First) Special Session.

Referred to Committee on Rules.

Assembly Joint Resolution No. 14—Relative to memorializing the Congress of the United States in relation to public shooting grounds.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 23, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 23

Senate Bill No. 56

Senate Bill No. 64

Senate Bill No. 191

Senate Bill No. 201

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, January 23, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 373

Has had the same under consideration, and reports the same back with the recommendation: **Do pass.**

Committee membership 11; committee vote: Ayes 7; absent 4.

QUINN, Chairman

Above reported bill ordered to second reading.

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, January 23, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 227

Has had the same under consideration, and reports the same back with the recommendation: **Do pass.**

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, January 23, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 19

Has had the same under consideration, and reports the same back with amendments with the recommendation: **Amend, and do pass, as amended.**

Committee membership 9; committee vote: Ayes 6; absent 3.

BURNS, Vice Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 384: By Senator Rich—An act to amend Section 4267 of the Political Code and Section 28138 of the Government Code, relating to compensation for public services in counties of the thirty-eighth class.

Referred to Committee on Local Government.

Senate Bill No. 385: By Senator Rich—An act to amend Section 573 of the Probate Code, relating to the power and duties of executors and administrators of estates in probate.

Referred to Committee on Judiciary.

Senate Bill No. 386: By Senator Rich—An act to amend Section 4268 of the Political Code and Section 28139 of the Government Code, relating to compensation for public services in counties of the thirty-ninth class.

Referred to Committee on Local Government.

Senate Bill No. 387: By Senator Gordon—An act to amend Section 307 of the Agricultural Code, relating to meat.

Referred to Committee on Agriculture.

Senate Bill No. 388: By Senator DeLap—An act to add Chapter 1.5 to Division 3 of the Education Code, providing for school district public works and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 389: By Senator DeLap—An act to amend Section 4244 of the Political Code and Section 28115 of the Government Code, relating to compensation for public services in counties of the fifteenth class.

Referred to Committee on Local Government.

Senate Bill No. 390: By Senator DeLap—An act to add Section 6.5 to "An act to provide a unified program of construction, improvement, and equipment for state agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act," approved March 13, 1946, relating to the appropriation made by that act.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 391: By Senator DeLap—An act to amend Section 737g of the Political Code, relating to salaries of superior court judges.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 392: By Senator Brown—An act to amend Section 737n of the Political Code, relating to the salary of Superior Court Judge in and for the County of Inyo.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 393: By Senator Brown—An act to amend Section 737z of the Political Code, relating to salaries of judges of the superior court.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 394: By Senator Brown—An act to amend Section 1278 of the Fish and Game Code, relating to license tags for taking deer.

Referred to Committee on Fish and Game.

Senate Bill No. 395: By Senator Gordon—An act to amend Section 405 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

Senate Bill No. 396: By Senator Gordon—An act to amend Section 407 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

Senate Bill No. 397: By Senator Gordon—An act to amend Section 409 of, and to add Sections 410 and 411 to the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

Senate Bill No. 398: By Senator Slater—An act to amend Sections 1597.1, 1834, 1868, 2561, 2584, 2585, 2891, 3130, 4627, 7516, 9601,

9602, 11717, 13009, 20376, and 20377 of the Education Code and to add Sections 1597.2 and 9645 to said code and to repeal Sections 2451, 2501, 2701, 2801, and 2832 of said code, all relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 399: By Senators Burns, Deuel, Salsman, Quinn, O'Gara, and Kraft—An act to amend Sections 19485, 19597, 19620, and 19627 of, and to add Sections 19485.5 and 19628 to the Business and Professions Code, relating to the proceeds of horse racing meetings.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 400: By Senator Jepsersen—An act to authorize the Director of Finance to convey or exchange certain real property in the County of San Luis Obispo.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 401: By Senator Busch—An act to amend Section 1203 of, to add Section 1203.01 to, and to repeal Section 1192a of, the Penal Code, relating to judgments in criminal cases.

Referred to Committee on Judiciary.

Senate Bill No. 402: By Senator Busch—An act to amend Section 421 of the Fish and Game Code, relating to taking of catfish in District 24.

Referred to Committee on Fish and Game.

Senate Bill No. 403: By Senators DeLap, Burns, Tenney, Keating, O'Gara, and Kraft—An act to amend Section 5 of the Housing Authorities Law, relating to appointment and compensation of commissioners.

Referred to Committee on Local Government.

Senate Bill No. 404: By Senators Dilworth and Tenney—An act to amend Sections 3420 and 3480 of the Welfare and Institutions Code, relating to aid to the blind, and making an appropriation.

Referred to Committee on Social Welfare.

Senate Bill No. 405: By Senator Dilworth—An act to amend Sections 1071, 1074, 1325, and 1330 of the Streets and Highways Code, relating to the methods of doing work upon county highways and bridges, the preparation of plans, and the purchasing of materials therefor.

Referred to Committee on Transportation.

Senate Bill No. 406: By Senator Donnelly—An act to amend Section 1102.3 of the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

Senate Bill No. 407: By Senator Donnelly—An act to amend Section 1804 of the Education Code, relative to school elections.

Referred to Committee on Education.

Senate Bill No. 408: By Senator Donnelly—An act to amend Section 251 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

Senate Bill No. 409: By Senator Donnelly—An act to add Section 607 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

Senate Bill No. 410: By Senator Donnelly—An act to add Section 616 to the Streets and Highways Code, creating an additional state highway.

Referred to Committee on Transportation.

Senate Bill No. 411: By Senator Rich—An act to add Section 3692.5 to the Political Code, relating to the powers and duties of the State Board of Equalization.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 412: By Senator Donnelly—An act to add Section 615 to the Streets and Highways Code, establishing a new state highway.

Referred to Committee on Transportation.

Senate Bill No. 413: By Senator Breed—An act to repeal Chapter 506 of Statutes of 1913, Chapters 426, 428, and 429 of Statutes of 1919, and Chapter 737 of Statutes of 1921, relating to appropriations to the University of California.

Referred to Committee on Education.

Senate Bill No. 414: By Senator Judah—An act to add Section 21251.1 to, and to amend Section 21252 of the Government Code, relating to the State Employees' Retirement System and to the benefits payable thereunder with respect to certain classes of members thereof.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 415: By Senator Judah—An act to add Section 21252.2 to the Government Code, relating to the State Employees' Retirement System and to the benefits payable therefrom in respect to state miscellaneous members who have retired prior to the effective date hereof.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 416: By Senators Breed and Desmond—An act to amend Sections 120, 152, 311, 315, 340, 350, 381, 440, 460, 502, 541, 561, 583, 584, 820, 900, 901, 951, 952, 953, 954, 960, 1121, 1130, 1133, 1134, 1135, 1152, 1153, 1171, 1201, 1210, 1221, 1411, 1421, 1422, 1425, 1524, 1525, 1621, 1631, 1633, 1720, 1731, 1751, 1753, 1760, 1770, 1800, 1910, 2000, 2002, and 2005 of the Municipal Utility District Act, to repeal Sections 154, 317, 1211, 1212, 1213, 1220, 1222 thereof, to repeal Article 2, Chapter 4, Part 3, comprising Section 470 thereof, to repeal Chapter 5, Part 6, comprising Sections 1500 to 1507, inclusive, thereof, and add a new Chapter 5, Part 6, comprising Sections 1500 to 1504, inclusive, thereto, and to add Sections 17, 26, 27, 28, 604, 950.5, 1202, and 1203 thereto, relating to municipal utility districts.

Referred to Committee on Public Utilities.

Senate Bill No. 417: By Senators Dilworth and Tenney—An act to amend Sections 3025 and 3087.1 of the Welfare and Institutions Code, relating to aid to the needy blind, and making an appropriation.

Referred to Committee on Social Welfare.

Senate Bill No. 418: By Senator Judah—An act to amend Sections 20025, 20750, and 21252 of, and to add Sections 20025.1, 21251.1 and 21251.2 to, the Government Code, relating to the State Employees' Retirement System, revising the rate of state contributions thereto and benefits payable, therefrom with respect to certain classes of members thereof, including state miscellaneous members who have retired prior to the effective date hereof, and revising the amount of compensation of certain classes of members which is subject to computations under the system.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 419: By Senator Judah—An act to amend Section 20025 of, and to add Section 20025.1 to, the Government Code, relating to the State Employees' Retirement System and to the amount of compensation of certain classes of members which is subject to computations thereunder.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 420: By Senator Judah—An act to amend Section 20750 of the Government Code, relating to the State Employees' Retirement System and revising the rate of state contributions thereto.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 421: By Senator Crittenden—An act to amend Section 20361 of the Government Code, relating to termination of membership in the California State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 422: By Senator Crittenden—An act making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of real property for use as a site for a state office building in the City of Stockton and in furtherance of the postwar building program.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 423: By Senator Crittenden—An act to amend Section 11 of, and to add Section 9.5 to, the Flood Control Fund Act of 1946, relating to flood control, and making an appropriation therefor.

Referred to Committee on Water Resources.

Senate Bill No. 424: By Senator Crittenden—An act to amend Sections 10501 and 10503 of the Water Code, relating to priority of applications to appropriate water by the Department of Finance.

Referred to Committee on Water Resources.

Senate Bill No. 425: By Senator Crittenden—An act to amend Section 1300.17 of the Agricultural Code, relating to disbursement of funds collected under marketing orders.

Referred to Committee on Agriculture.

Senate Bill No. 426: By Senator Crittenden—An act to amend Section 1272.5 of the Agricultural Code, relating to handling and receiving farm products.

Referred to Committee on Agriculture.

Senate Bill No. 427: By Senator Brown—An act to amend Section 4286 of the Political Code and Section 28157 of the Government Code, relating to compensation for public services in counties.

Referred to Committee on Local Government.

Senate Bill No. 428: By Senator Brown—An act to amend Section 4281 of the Political Code and Section 28152 of the Government Code, relating to compensation for public services in counties.

Referred to Committee on Local Government.

Senate Bill No. 429: By Senators Keating, McCormack, Collier, and Parkman—An act to amend Sections 160, 164, 164.5, and 675.5 of the Vehicle Code, relating to the registration of motor vehicles.

Referred to Committee on Transportation.

Senate Bill No. 430: By Senators Keating, McCormack, Collier, and Parkman—An act to add Section 10759 to the Revenue and Taxation Code, and Section 373.5 to the Vehicle Code, relating to vehicle registration and license fees.

Referred to Committee on Transportation.

Senate Bill No. 431: By Senators Keating, McCormack, Collier, and Parkman—An act to add Sections 10753.6, 10753.7, and 10753.8 to the Revenue and Taxation Code, relating to the motor vehicle license fee.

Referred to Committee on Transportation.

Senate Bill No. 432: By Senators Keating, McCormack, Collier, and Parkman—An act to amend Sections 102, 108, and 128 of, to add Division 2A, comprising Sections 139 to 139.61 inclusive to, and to repeal Sections 111, 113, 116, 117, 119, 120, 121, 122, 123, 124, 124.1, 125, 126, 135, 135.5, 135.8, 486, and 489 of, the Vehicle Code, providing for the reorganization of the California Highway Patrol, abolishing the Division of Enforcement of the Department of Motor Vehicles, establishing a Department of Highway Patrol and Safety and prescribing its powers, duties, purposes, and functions, providing for the transfer of records and property; and to make available money for the support of said department.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 433: By Senators Keating, McCormack, Collier, and Parkman—An act to amend Sections 102, 108, and 128 of, to add Division 2A, comprising Sections 139 to 139.61 inclusive to, and to repeal Sections 111, 113, 116, 117, 119, 120, 121, 122, 123, 124, 124.1, 125, 126, 135, 135.5, 135.8, 484, 485, 486, 487, 488, 488.5, and 489 of, the Vehicle Code, providing for the reorganization of the California Highway Patrol and the Division of Drivers Licenses of the Department of Motor Vehicles, abolishing the Division of Enforcement of said department, establishing a Department of Highway Patrol and Safety and prescribing its powers, duties, purposes, and functions, providing for the transfer of records and property; and to make available money for the support of said department.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 434: By Senator Deuel—An act to add Section 2920.5 to, and to repeal Section 2926 of, the Penal Code, relating to the detention of prisoners.

Referred to Committee on Judiciary.

Senate Bill No. 435: By Senator Quinn—An act making an appropriation from the Fair and Exposition Fund for an agricultural building in Humboldt County and prescribing the purposes for which such building may be used.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 436: By Senator Quinn—An act to add Section 19626.5 to the Business and Professions Code, relating to agricultural buildings for county and district agricultural association fairs and the use of such buildings.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 437: By Senator Desmond—An act to appropriate the sum of ----- (\$-----) from the General Fund of the State of California not otherwise appropriated for the purpose of increasing salaries of state employees where such increases are necessary to meet increases in the cost of living.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 438: By Senator Desmond—An act to add Section 150.5 to the Agricultural Code, relating to spraying land with poisonous substances.

Referred to Committee on Agriculture.

Senate Bill No. 439: By Senator Desmond—An act to add Section 678.5 to the Vehicle Code, relating to splash guards for vehicles.

Referred to Committee on Transportation.

Senate Bill No. 440: By Senator Desmond—An act to amend Section 690.19 of the Code of Civil Procedure, relating to exemption of life insurance proceeds from attachment.

Referred to Committee on Judiciary.

Senate Bill No. 441: By Senator Desmond—An act to amend Section 2472 of the Civil Code and Section 19000 of the Corporations Code, relating to service of process on foreign partnerships, and specifying the duties of the Secretary of State in connection therewith.

Referred to Committee on Judiciary.

Senate Bill No. 442: By Senator Ward—An act to amend Sections 6011 and 6012 of the Revenue and Taxation Code, relating to sales and use taxes and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 443: By Senator Breed—An act to amend Sections 51 and 52 of the Public Utilities Act, defining the powers of the Public Utilities Commission, relating to certain transactions of public utilities.

Referred to Committee on Public Utilities.

Senate Bill No. 444: By Senator Desmond—An act to amend Sections 422 and 423 of the Probate Code, relating to the administration of estates of decedents.

Referred to Committee on Judiciary.

Senate Bill No. 445: By Senator Swing—An act to amend Section 1015 of the Fish and Game Code, relating to privilege taxes.

Referred to Committee on Fish and Game.

Senate Bill No. 446: By Senator Swing—An act to add Section 14257 to the Government Code, relating to work on projects under jurisdiction of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Senate Bill No. 447: By Senator Swing—An act to amend Section 1016 and to repeal Section 1016.5 of the Fish and Game Code, relating to privilege taxes.

Referred to Committee on Fish and Game.

Senate Bill No. 448: By Senator Swing—An act to add Section 46.1 to the Fish and Game Code, relating to appropriation of funds.

Referred to Committee on Fish and Game.

Senate Bill No. 449: By Senator Swing—An act to amend Section 1019 of the Fish and Game Code, relating to expenditure of revenues.

Referred to Committee on Fish and Game.

Senate Bill No. 450: By Senator Keating—An act to add Section 401 to the Code of Civil Procedure, relating to the commencement and trial of actions.

Referred to Committee on Judiciary.

Senate Bill No. 451: By Senator Keating—An act to amend Section 629 and to add Section 629.1 to the Code of Civil Procedure, relating to verdicts.

Referred to Committee on Judiciary.

Senate Bill No. 452: By Senator Keating—An act to amend Section 664 of the Code of Civil Procedure, relating to judgments.

Referred to Committee on Judiciary.

Senate Bill No. 453: By Senator Carter—An act to provide for leasing adequate facilities and service for the establishing and operation of a telephone-typewriter system in Trinity County, for the purpose of connecting the system with the telephone-typewriter system of communication maintained under the direction of the Bureau of Criminal Identification and Investigation between counties and cities and counties of this State, and to make an appropriation therefor.

Referred to Committee on Finance.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill No. 45—An act to repeal Sections 2 and 5 of, and to add new Sections 2 and 5 to, an act entitled "An act relating to real property of a city, county, or city and county, situate without the territorial boundaries of the owner, prescribing regulations concerning the handling and disposition of such property, whether by sale, lease, license or otherwise, and providing for the administration and enforcement of the provisions of this act," approved July 12, 1945, and to add new Sections 2 and 5 to said act, relating to the handling and disposition of such real property, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 29—An act making an appropriation to the Department of Finance for cost of advertising Veterans' Bond Act of 1946, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 94—An act to amend Section 92.1 of the Agricultural Code, relating to the allocation of state money to county and district fairs, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 360—An act making an appropriation for the support of child care centers, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 23—An act to amend Section 752 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to elections of boards of education in cities of the fifth class, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Watson moved a call of the Senate.

Motion carried. Time, 10.29 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

President Pro Tempore of the Senate Presiding

At 10.30 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

RESOLUTIONS

The following resolution was offered :

By Senator Dillinger :

Senate Resolution No. 39

Respecting the Discovery of Gold at Coloma

WHEREAS, January 24, 1947, is the official Ninety-ninth Anniversary of the Discovery of Gold at Coloma by James Wilson Marshall ; and

WHEREAS, As a result of that discovery, many of the Nation's finest came to California, and upon their arrival, made the further discovery that California held not only gold, but a wealth of other resources as well ; and

WHEREAS, During the period of nearly 100 years that has elapsed since this great State has reached a high place within the aggregation of our several states ; and

WHEREAS, We have become more and more engrossed in our daily round of duty as the days go by, it becomes more and more fitting that we should pause on this day to reflect upon the achievements and the high ideals of those pioneers who carved from the vastness of our forests and plains this great State that we love, and to draw from their precept and example renewed inspiration to sustain and guide us as we face the problems before us now. Not all the pioneering has been done. We face today some of the greatest problems that have ever faced any people, so let us now, in the light of those high ideals, consecrate ourselves this day to the tasks that lie before us, that we may prove worthy of our heritage and wisely administer our trust.

It is not alone for the accidental discovery of gold that we mark this day. Rather it is for the momentous events that flowed therefrom. The voice of the golden siren called to the shores of the broad Pacific the very flower of the Nation's manhood. None but those of the highest courage could dare the great adventure, and none but the fittest could survive its hardships ; and

WHEREAS, Beginning January 24, 1948, we begin a three-year centennial celebration of all the events leading up to and including California's admission into the Union ; therefore, be it

Resolved, That when the Senate does this day adjourn, that we do so in commemoration of the discovery of gold at Coloma, and out of respect to the memory of James Wilson Marshall and those rugged pioneers who have bequeathed to us this priceless heritage.

Resolution read, and, on motion of Senator Dillinger, adopted.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH

At 10.36 a.m., on motion of Senator Watson, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 23 adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, and Watson—27.

NOES—None.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Watson moved a call of the Senate.

Motion carried. Time, 10.40 a.m.

The president directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

Further Proceedings Under Call of the Senate Dispensed With

At 10.44 a.m., on motion of Senator Watson, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 23 passed by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft,

Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, and Watson—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senator Burt W. Busch Presiding

At 10.45 a.m., Senator Burt W. Busch of the Fourth District, presiding.

REQUEST FOR UNANIMOUS CONSENT

Senator Brown asked for, and was granted, unanimous consent to take up Senate Bill No. 45, at this time, for consideration.

CONSIDERATION OF SENATE BILL NO. 45

Resolution to Suspend Constitutional Provision

The following resolution was offered :

By Senator Brown :

Resolved, That Senate Bill No. 45 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, and Ward—29.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 45—An act to repeal Sections 2 and 5 of, and to add new Sections 2 and 5 to, an act entitled "An act relating to real property of a city, county, or city and county, situate without the territorial boundaries of the owner, prescribing regulations concerning the handling and disposition of such property, whether by sale, lease, license or otherwise, and providing for the administration and enforcement of the provisions of this act," approved July 12, 1945, and to add new Sections 2 and 5 to said act, relating to the handling and disposition of such real property, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Senators Brown, Burns, Busch, Collier, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, and Watson—28.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, and Watson—29.

NOES—None.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 56—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, and Watson—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, and Watson—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 191—An act to amend Section 963 of the Agricultural Code, relating to seed potato test plats, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Ward, and Watson—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Ward, and Watson—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 64—An act to amend Sections 164, 181, 222 of, to repeal Section 146.5 of, and to add Section 182.1 to, the Vehicle Code, relating to the registration and transfers of registration of vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, and Ward—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Keating,

Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, and Ward—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 201—An act to amend Sections 18540 and 18973 of the Government Code, relating to veterans and civil service credits for military service, and declaring the urgency thereof to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Swing, Tenney, and Ward—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, and Ward—28.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 367—An act to amend Section 1183.5 of the Civil Code, relating to the proof or acknowledgment of instruments, declaring the urgency hereof, to take effect immediately.

Bill read third time, and presented by Senator O'Gara.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator O'Gara moved a call of the Senate.

Motion carried. Time, 10.50 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

Further Proceedings Under Call of the Senate Dispensed With

At 10.55 a.m., on motion of Senator O'Gara, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 367 adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, and Ward—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft,

Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, and Ward—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 435—An act to add Sections 1160.5 and 1160.6 to the Harbors and Navigation Code, relating to pilots, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Breed.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, and Ward—28.

NOES—None.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried. Time, 10.57 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

Further Proceedings Under Call of the Senate Dispensed With

At 10.58 a.m., on motion of Senator Breed, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Bill No. 435 passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, and Ward—28.

NOES—None.

Bill ordered transmitted to the Assembly.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY CONCURRENT RESOLUTION NO. 10

Senator Powers moved that Assembly Concurrent Resolution No. 10 be withdrawn from Committee on Transportation, and referred to Committee on Rules.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 45

And reports the same correctly engrossed.

POWERS, Chairman

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator Hatfield, ordered printed in the Journal:

CONGRESS OF THE UNITED STATES, HOUSE OF REPRESENTATIVES

WASHINGTON, D. C., January 20, 1947

J. A. Beek, Secretary

The California State Senate

State Capitol, Sacramento, California

MY DEAR MR. BEEK:

Please inform the Members of the California State Senate that today I have contacted the Department of Agriculture in regard to your wire on the livestock disease in Mexico. I was informed that the Department of Agriculture is keenly alert to the potential danger of the disease spreading to this Country.

The department informs me the disease appears, at the present time, to be centered around Mexico City, and as yet has not reached border areas. However, the border has been closed to all Mexican livestock, and even to the extent of very rigid inspection of any hides crossing over.

At the present time the department has four field experts in the disease area, and they are expected to report their findings and suggestions to the department during the coming week. The department is reluctant, naturally, to appear before Congress and ask for congressional action until Mexico officially has asked for United States help. There is nothing our government can do until this request for aid comes officially from Mexico. Then, the department informs me, immediate action will be taken for congressional aid in the appropriating of money necessary to fight the disease in Mexico.

I believe the department has many of its plans all set to participate in the disease battle, and to ask Congress for the necessary funds just the minute Mexico officially asks our aid. I know that there is very sympathetic feeling among the Members of Congress toward our helping to battle the disease before it reached the border, and I believe the Congress will respond to any official appeal from Mexico.

This is the picture to date. When there is a change I shall inform you, but meanwhile, if I can be of service please do not hesitate to call upon me.

My kind personal regards to the Members of the Senate, and to you.

Sincerely,

ERNEST K. BRAMBLETT, M. C.

ADJOURNMENT

At 10.59 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 11 a.m., Monday, January 27, 1947, in commemoration of the discovery of gold at Coloma, and out of respect to the memory of James Wilson Marshall.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY

TWENTY-SECOND CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, January 27, 1947

The Senate met at 11 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Hulse, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Ward and McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Glenn Moore and Mr. E. V. Van Bever of Hueneme.

On request of Senator Jespersen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. H. A. Ingalls of Bakersfield.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Jack Shelley of San Francisco.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Mary David of San Leandro, Mrs. Paul David of Sacramento, and Mrs. Earl Fenston of Fresno.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Sam Abauof of Vallejo.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

UNITED STATES SENATE

WASHINGTON, D. C., January 21, 1947

Honorable J. A. Beek

*Secretary of the Senate
Sacramento, California*

DEAR MR. BEEK: Your telegram of January 17th has been received which contained the copy of the resolution passed by the State Senate relative to the outbreak of the hoof and mouth disease in Mexico. I have already taken up this problem of furnishing assistance to the Mexican Government with both the State Department and the Department of Agriculture.

I have also received a communication from the Governor of California relative to this situation.

With best personal regards, I remain

Sincerely yours,

WILLIAM F. KNOWLAND, United States Senator

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 435

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 16

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

Senate Concurrent Resolution No. 10

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, at this time, for consideration of Assembly amendments.

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Concurrent Resolution No. 10—Relative to the continuance of the Joint Fact-Finding Committee on Un-American Activities created by Resolutions Chapter No. 143 of the Fifty-sixth Regular Session.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Concurrent Resolution No. 10?

Amendment No. 1

On page 1 of the printed measure, strike out all of the paragraph numbered 2, and insert

"2. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file its final report not later than the fifteenth day of April, 1947".

The roll was called, and the Senate concurred in Assembly amendment to Senate Concurrent Resolution No. 10 by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—35.
NOES—None.

Above resolution ordered enrolled.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day **adopted:**

Assembly Concurrent Resolution No. 33

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By **ROBERT J. FINNIE**, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 33—Relative to Frank N. Killam.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 9, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 29

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 31

Senate Bill No. 55

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, January 24, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Assembly Bill No. 173

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 24, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:
Assembly Bill No. 134
Assembly Bill No. 135

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

DILLINGER, Chairman

Above reported bills re-referred to Committee on Finance.

MOTION TO APPROVE JOURNALS

Senator Powers moved that the Journals for Monday, January 20, 1947, Tuesday, January 21, 1947, Wednesday, January 22, 1947, Thursday, January 23, 1947, and Friday, January 24, 1947, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 18: By Senator Kraft—Relative to approving that certain amendment to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on the fifth day of November, 1946.

Request for Unanimous Consent

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 18. at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 18

Senate Concurrent Resolution No. 18—Relative to approving that certain amendment to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on the fifth day of November, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senator Salsman Presiding

At 11.20 a.m., Senator Byrl R. Salsman of the Eighteenth District, presiding.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill No. 227—An act to amend the Health and Safety Code by repealing Sections 32127, 32202, 32204, 32205, 32303, 32308, 32312, 32313; by amending Sections 32003, 32100, 32203, 32305, 32309, 32310; and by adding new sections numbered 32127, 32202, 32203, 32204, 32303, 32308, 32312, all relating to local hospital districts; and declaring the urgency of this act, to take effect immediately.

Bill read second time.

Request for Unanimous Consent

Senator Slater asked for, and was granted, unanimous consent to take up Senate Bill No. 227, at this time, for consideration.

**CONSIDERATION OF SENATE BILL NO. 227
Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Slater:

Resolved, That Senate Bill No. 227 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Jespersen, Judah, Mayo, McBride, McCormack, O'Gara, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Weybret, and Williams—29.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 227—An act to amend the Health and Safety Code by repealing Sections 32127, 32202, 32204, 32205, 32303, 32308, 32312, 32313; by amending Sections 32003, 32100, 32203, 32305, 32309, 32310; and by adding new sections numbered 32127, 32202, 32203, 32204, 32303, 32308, 32312, all relating to local hospital districts; and declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 19—An act to amend Sections 10150, 10151, 10200, 10201, 10208, 10211, 10212, 10213, 10216, 10221, 10275, 10276, 10320, 10328, 10331, 10332, 10333, 10340, 10375, 10376, 10420, 10427, 10430, 10431, 10432, 10439, 10515, 10516, 10580, 10588, 10591, 10592, 10593, and 10600 of the Business and Professions Code, to add Sections 10156.2, 10208.5, 10208.7, 10213.5, 10213.7, 10279.2, 10321.5, 10328.5, 10328.7, 10333.5, 10333.7, 10379.5, 10420.5, 10427.5, 10427.7, 10432.5, 10432.7, 10519.5, 10581.5, 10588.5, 10488.7, 10593.5, and 10593.7 thereto, and to repeal Sections 10101, 10102, 10209, 10214, 10329, 10334, 10428, 10433, 10589, and 10594 thereof, relating to fees and licenses of the State Division of Real Estate of the Department of Investment, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

On page 3 of the printed bill, between lines 16 and 17, insert

"If the applicant fails the required written examination, he may be permitted to take another examination upon payment of another original real estate broker's license fee."

Amendment No. 2

On page 4 of said bill, between lines 4 and 5, insert

"If the applicant fails the required written examination, he may be permitted to take another examination upon payment of another original real estate salesman's license fee."

Amendment No. 3

On page 5, of said bill, between lines 45 and 46, insert

"If the applicant fails the required written examination, he may be permitted to take another examination upon payment of another original business opportunity broker's license fee."

Amendment No. 4

On page 6, line 30, of said bill, strike out "1033.5.", and insert "10333.5."

Amendment No. 5

On page 6 of said bill, between lines 32 and 33, insert

"If the applicant fails the required written examination, he may be permitted to take another examination upon payment of another original business opportunity salesman's license fee."

Amendment No. 6

On page 8 of said bill, between lines 18 and 19, insert

"If the applicant fails the required written examination, he may be permitted to take another examination upon payment of another original cemetery broker's license fee."

Amendment No. 7

On page 9 of said bill, between lines 4 and 5, insert

"If the applicant fails the required written examination, he may be permitted to take another examination upon payment of another original cemetery salesman's license fee."

Amendment No. 8

On page 10 of said bill, between lines 41 and 42, insert

"If the applicant fails the required written examination, he may be permitted to take another examination upon payment of another original mineral, oil and gas broker's license fee."

Amendment No. 9

On page 11 of said bill, between lines 28 and 29, insert

"If the applicant fails the required written examination, he may be permitted to take another examination upon payment of another original mineral, oil and gas salesman's license fee."

Bill ordered printed, engrossed, and to third reading.
Amendments read, and adopted.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 373—An act to add Chapter 18, comprising Section 19500, to the Revenue and Taxation Code, relating to personal income taxes and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 31—An act to amend Section 1187 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read third time.

Motion to Amend

Senator DeLap moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 44, of the printed bill, after "1184e", insert "1188".

Amendment No. 2

On page 2, line 45, of said bill, after the period, insert "Materials delivered to or upon any portion of said entire work of improvement or furnished to be used in said entire work of improvement and ultimately used or consumed in one of such separate residential units shall, for all the purposes of this chapter, be deemed to have been furnished to be used or consumed in the separate residential unit in which the same shall have been actually used or consumed; provided, however, that if the lien claimant is unable to segregate the amounts used on or consumed in such separate residential units he shall be entitled to all the benefits of Section 1188 of this code."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to third reading.

Senate Bill No. 55—An act to amend Sections 11 and 44.2 of the Unemployment Insurance Act, relating to unemployment insurance, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—33.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 29—An act making an appropriation to the Department of Finance for cost of advertising Veterans' Bond Act of 1946, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 29:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 24, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Senate Bill No. 29—"An act making an appropriation to the Department of Finance for cost of advertising Veterans' Bond Act of 1946, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 29 as necessary for the immediate preservation of the public peace, health, or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 90—An act to amend Section 18059 of the Education Code, relating to the letting of contracts, extending the period within which the section is to remain in effect, declaring the urgency hereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 94—An act to amend Section 92.1 of the Agricultural Code, relating to the allocation of state money to county and district fairs, declaring the urgency of this act, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 94:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 16, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 94—"An act to amend Section 92.1 of the Agricultural Code, relating to the allocation of state money to county and district fairs, declaring the urgency of this act, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 94 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 360—An act making an appropriation for the support of child care centers, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—Senators Desmond and Sutton—2.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 360:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 17, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 360—"An act making an appropriation for the support of care child centers, and declaring the urgency thereof, to take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 360 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Upon request of Senator Hatfield, further consideration of Assembly Bill No. 360 was continued to the next legislative day.

MOTION TO PRINT PARTIAL REPORT

Senator Brown moved that the Partial Report of the Senate Committee on Local Government Agencies be printed in the Journal and 200 additional copies of the report be printed in 10-point type.

Motion carried.

PARTIAL REPORT OF THE SENATE COMMITTEE ON LOCAL GOVERNMENTAL AGENCIES

This committee, created by Senate Resolution No. 129, adopted June 16, 1945, is charged with the duty of studying the status of cities, counties, and public districts as owners and operators of facilities used in the service of their inhabitants and the relationships resulting therefrom between such agencies and other public agencies and individuals.

In the course of this study the committee had occasion to conduct a hearing at Hemet, Riverside County, on December 27, 1945, at which evidence was taken and information received relating to the construction and operation by the Metropolitan Water District of Southern California of a tunnel through the base of San Jacinto Mountain and the effect thereof on the water supply of the lands within the mountain area and the lands in the San Jacinto-Hemet Valley lying westerly of the mountain.

This hearing was requested by the residents of the area affected through the governing body of the Riverside County Flood Control and Water Conservation District (3)*. Senator Dilworth of Riverside County participated as an ex-officio member of the committee (2). Assemblyman Boyd of Riverside County was unable to attend because of illness (3).

The Metropolitan Water District of Southern California was formed for the purpose of importing water from the Colorado River to the district, which includes the City of Los Angeles and 13 other communities in the general vicinity thereof (8). To accomplish this purpose the district has constructed the Colorado River Aqueduct from the Colorado River across the State to the district (4).

The San Jacinto tunnel is a part of this aqueduct. The tunnel enters the San Jacinto Mountain at a point known as East Portal, and

* Figures in parenthesis refer to pages of the transcript of the hearing.

runs 13 miles through the base of the mountain to a point known as West Portal at an elevation approximately the same as the level of the San Jacinto-Hemet Valley (29-30). The diameter of the tunnel is approximately 16 feet (5, 22).

The San Jacinto-Hemet Valley lies westerly from the San Jacinto Mountains. The aqueduct after leaving West Portal bisects the valley from east to west and leads to Lake Matthews to the west of the valley (29). The valley comprises the watershed of the San Jacinto River and its area is 771.7 square miles (30).

The valley is predominantly agricultural in nature (4). In 1944 there were approximately 23,634 acres under cultivation (33) with an annual production in that year of a little more than \$8,000,000 (33-34). The cultivated lands are irrigated principally by pumping from wells (34).

In constructing the San Jacinto Tunnel great quantities of water were encountered (5, 54). The interior of the mountain is criss-crossed by faults (53), and the San Jacinto earthquake fault, a branch of the San Andreas fault, bounds the south side of the San Jacinto Mountains (52).

Construction of the tunnel commenced in 1933 (4) and it was completed in 1939 (8). The greatest inflow into the tunnel occurred during the construction period (42), and during the period from 1933 to 1939, 155,000 acre-feet were drained into the tunnel from the interior of the mountain (60), the peak flow being as high as 4,000 to 4,500 miner's inches or 80 to 90 second feet.

The lining of the tunnel was completed in 1939 and the flow of water decreased for a time to one and one-half second feet or 75 miner's inches (this being in terms of the miner's inch used in Southern California). During the period from 1939 to 1944, the flow into the tunnel from the mountains increased to nine and four-tenths second feet (9) and appears to have become fairly stabilized.

A series of 22 measurements from March 1943 to June 1944 showed that when no water was entering East Portal the flow at West Portal was a minimum of 8.61 second feet, a maximum of 9.42 second feet, with an average of 8.99 second feet (148), or approximately 450 miner's inches.

The accumulated flow since the lining of the tunnel in 1939 to the end of 1945 was approximately 35,000 acre feet (61). The water which has come into the tunnel since it was lined came in through cracks in the lining, particularly in the invert or roof of the tunnel (22, 71).

The effect of the construction of the tunnel and the draining of the water from the interior of the mountain upon the lands lying within the mountain area was immediate and direct. Springs 11 miles away were affected and one spring seven miles from the tunnel dried up (59). As to these lands the Metropolitan Water District has recognized liability and settled with the land owners (10, 59).

The effect of the tunnel on the water level underlying the San Jacinto-Hemet Valley is a controversial matter. That the ground water level in the valley has been lowering over a period of years was established by the following evidence:

Mr. George E. Gertz of Riverside, commercial engineer for the California Electric Power Company, testified that his company had kept

records of test wells since 1933. These records indicate that there has been general lowering of the water level since 1933, and that the decline in various parts of the valley ranged from 22 to 46 feet (86).

Mr. Normal E. Walker of Nuevo, a farmer for 31 years, testified that in one of his wells he was pumping from 156 feet in 1945 and getting 34.5 inches of water, whereas in 1938 he was pumping from 122.5 feet and getting 51.8 inches of water (89). As a result of the lack of water he had to put more land in grain and less in irrigated crops because he did not have the water to go around as he used to have (90).

Mr. Irwin E. Farrar of Hemet, a farmer for 29 years, testified that in the past six or seven years the water table under his property had declined at the rate of a foot or a foot and a half per year (37).

Mr. James H. Howard, General Counsel for the Metropolitan Water District, stated that the district did not admit that the lowering of the water table in the valley was connected with the tunnel, and attributed the lowering to increased irrigation and pumping and the development of the community (10).

Mr. Howard pointed out that there were four cases pending in which land owners in the valley were seeking a court order to require the district to prevent infiltration of the water into the tunnel and that these cases would involve complex questions of geology and hydrology (10, 11). In one of the suits there is an additional prayer for damages (25). These four cases are typical of the conditions existing in the several portions of the valley (15).

Mr. Howard stated that the district does not want any water except Colorado River water and that if it could keep the water out of the tunnel it would do so (11). He stated that the district does not want any Riverside County water (12). He also denied that the district was taking as much water out of Riverside County as would be indicated by statements he had heard that all of the water in Lake Matthews originates in Riverside County (19, 20).

Figures were presented showing that in 1945, 92 percent of the water entering Lake Matthews was Colorado River water, that the water which seeps into the San Jacinto tunnel west of the divide amounted to 4,556 acre-feet, of which 1,202 acre-feet was released to Camp Haan, Riverside County, and 2,664 acre-feet were released in the vicinity of West Portal of the San Jacinto tunnel (20, 21). Thus, only 690 acre-feet of this seepage water entered Lake Matthews (21) in 1945. Not all of the seepage going into the lake comes from the San Jacinto tunnel as some seepage occurs in Valverde tunnel just before the aqueduct reaches the lake. Seepage at Valverde tunnel amounts to .70 second feet by the most recent measurements (148).

The fact that the district releases some water in the county has not effected a physical solution to the difficulty. At the point where the release is made the underlying strata are impervious and the water will not spread out under the lands in the valley most seriously affected (57, 58).

No physical solution, other than sealing the cracks in the tunnel, was suggested at the hearing (17). On the question of sealing the tunnel tight, some fear was expressed that it would be dangerous in an earthquake area because the pressures built up might dislocate the tunnel (12, 63, 76). However, Mr. Howard mentioned that the district was investigating certain developments in the method of grouting, that is, the

pumping of liquid cement into cracks or other fissures, as a possible means of sealing the tunnel (28).

At the hearing, it was also brought out that there was no agency with which the Metropolitan Water District could deal in attempting to work out a solution; and Mr. Howard stated that the district would welcome such an agency and would give it all possible cooperation (15, 16).

Since the time of the hearing, and arising out of it, there have been the following developments.

On April 22, 1946, the San Jacinto River Conservation District was formed. This district includes the area in the valley believed to be affected by the drainage of water into the San Jacinto tunnel. This will supply a public agency, representative of the individuals involved, which may negotiate with the Metropolitan Water District and possibly reach some physical or practical solution to the problem.

In September, 1946, the Metropolitan Water District decided to make another attempt to seal the tunnel. The Hemet News, in its issue of September 6, 1946, announced this decision as a welcome victory of the residents of the valley who had contended that the seepage in the tunnel was depleting the San Jacinto watershed. The San Jacinto Valley Register, in its issue of December 5, 1946, carried an item stating that the district was well under way in this work and that it was hoped that the work could be completed during March, 1947. Similar item appeared in the Perris Progress for the same date and in the Hemet News for December 6, 1946.

The committee believes that its activities in this matter have resulted in considerable advance toward a solution of the particular problem in San Jacinto-Hemet Valley.

As to possible legislation applicable to this particular problem it was suggested at the hearing that the problem involved the determination of underground water rights, which are specifically excluded from the provisions relating to the statutory adjudications of water rights—Sections 2500-2865, inclusive, of the Water Code (49). These adjudications are conducted by the State Department of Public Works acting through the State Engineer, who is the Chief of the Division of Water Resources of the department. The suggestion was advanced that in such a situation as the one before the committee the statutory adjudication procedure would be less cumbersome and expensive to the individual land owners than a series of suits against the district (14).

The committee has no recommendation to make as to whether the provisions as to statutory adjudications should be amended to make them applicable to underground water generally. The avoidance of a multiplicity of suits in this particular instance would, of course, be desirable. But the desirability of so extending the statutory adjudication process over all of the State appears to be a matter beyond the scope of the study of this committee and more properly referable to a committee concerned with the law relating to water rights.

From the standpoint of the committee's investigation of the relationships arising from the operation of the tunnel between the Metropolitan

Water District on the one hand and Riverside County and a portion of its residents on the other, the general situation presented at the hearing was this:

One public agency, the district, has engaged in the legitimate function of supplying water to the inhabitants of the communities comprising the district (26). In the course of this activity and as an incident thereto, the district has appreciably depleted the water supply of a considerable area within the County of Riverside. Certain lands within the county, those within the San Jacinto mountain area, have admittedly lost their water and have been rendered unproductive and of less taxable value. Other lands, those within San Jacinto Valley, may or may not have suffered a detriment, this being a matter now before the courts.

The State of California has an interest in making an adequate water supply available to the inhabitants of the urban areas of the State. It also has an interest in protecting the agricultural economy of the rural areas of the State. Some assurance should be provided that in procuring water for domestic use in the urban areas the supply of water for irrigation purposes upon which the rural economy is based should not be interfered with except to the extent necessary to put the water to its highest use.

The suggestion was made at the hearing that perhaps one method of avoiding the occurrence of such incidents in the future would be to have some state agency supervise the construction of such tunnels in much the same manner as the construction and operation of dams are supervised by the State Engineer (46), to the end that such a tunnel when bored would be bored in such fashion as to leave the watershed as nearly as possible in the same condition as previously existed (43).

A further suggestion was made that when, as in the case of San Jacinto tunnel, water is encountered and unavoidably taken away from the watershed, the law should provide that no rights should be gained to such water, but that the water should be held in trust for those entitled to it under previously existing conditions. The purpose of this would be to protect the rights of the individuals until it could be determined whether a physical solution could be found whereby the water could be returned to the land, or if that proved impossible, damages could be adjusted (18).

It is by no means impossible that a situation such as that resulting from the construction of San Jacinto tunnel will occur again in the course of the development of this State. The population of the coastal area is increasing and the limit of existing water supplies for that area will eventually be reached. When that occurs it will be necessary to construct additional aqueducts into the mountainous areas where the water may be obtained. Provision should be made to assure that the

construction and operation of such facilities will interfere as little as possible with the agricultural economy of the areas traversed.

Respectfully submitted.

SENATE COMMITTEE ON
LOCAL GOVERNMENTAL
AGENCIES

CHARLES BROWN, Chairman

GEORGE J. HATFIELD

JESSE M. MAYO

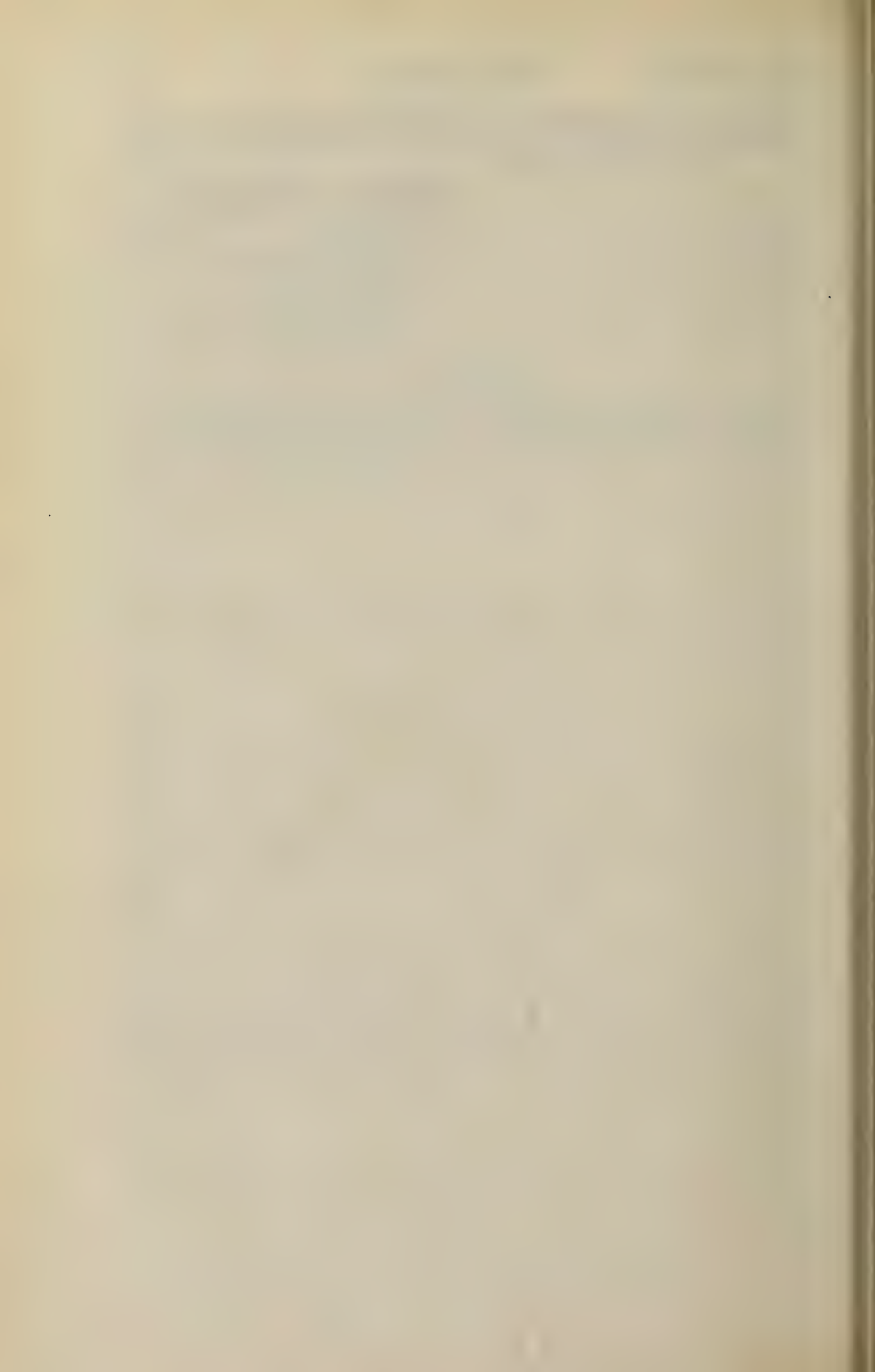
BRADFORD S. CRITTENDEN

JACK B. TENNEY

ADJOURNMENT

At 11.59 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Tuesday, January 28, 1947.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

SEVENTEENTH LEGISLATIVE DAY

TWENTY-THIRD CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, January 28, 1947

The Senate met at 10 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,
presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Dorsey, on motion of Senator Jespersen, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Professor Robert H. Connery and the following students of the class in American Government, Stanford University: Rosita Pellas, Meredith Dunlap, Shirley Drenkel, Paula Musser, Rita Sebel, Barbara Jeanne Denning, Mary Thomes, Mary McDerritt, Charles Stewart, David Diamos, Olive Thayer, R. C. Moeckli, Samuel Sewall, Ronald Abelson, Hamilton de Jong, John Rich, Edward Nilsen, Don Davies, Robert Graham, James Frankel, Winston Ehleman, Robert McInerny, Alexander Rados, Robert Berry-

man, John Burke, Paul Myers, Munro Morrick, Bruce Mitchell, Jerome Ascher, and Edward Sommour, Jr.

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. A. J. Malatesta and Mr. Wayne Hubbard of Stockton.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Meredith Dunlap of San Francisco and Miss Paula Musser of San Mateo.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Paul R. Jones and Mr. Joseph M. Lannon.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

January 27, 1947

Honorable Goodwin J. Knight

*President of the Senate of California
State Capitol, Sacramento, California*

DEAR MR. PRESIDENT: There is herewith filed with you a true copy of the report made by the Regents of the University of California and the State Board of Education, jointly, to the Fifty-seventh Session of the Legislature pursuant to Senate Concurrent Resolution No. 12 of the Fifty-sixth Legislature.

For the Regents of the University of California

ROBERT G. SPROUL
President of the University
of California

For the State Board of Education

ROY E. SIMPSON
Secretary and Executive Officer
of the State Board of Education

REPORT OF THE REGENTS OF THE UNIVERSITY OF CALIFORNIA AND THE STATE BOARD OF EDUCATION AND RECOMMENDATIONS MADE PURSUANT TO SENATE CONCURRENT RESOLUTION NO. 12 OF THE FIRST EXTRAORDINARY SESSION OF THE FIFTY-SIXTH LEGISLATURE

*To the Honorable, the California State Legislature
and the Members thereof:*

In conformity with the provisions of Senate Concurrent Resolution No. 12 of the First Extraordinary Session of the Fifty-sixth Legislature, the Regents of the University of California and the State Board of Education have made, with the limitations imposed by the time and funds available, the investigation and study of the adequacy of existing facilities at Sacramento Junior College to serve as an institution for higher learning in the Sacramento Valley, with a view toward determining the need for expansion of such institution's educational opportunities and its conversion to a four-year college or a branch of the State University.

The investigation and study was conducted by the Regents of the University of California and the State Board of Education through the Sacramento Junior College Survey Committee appointed by the President of the University and the Superintendent of Public Instruction.

The committee is composed of two representatives of the University of California (Deans Frank N. Freeman and Edwin A. Lee), two representatives of the State Department of Education (Frank B. Lindsay and Alfred E. Lentz), and a fifth member chosen by them (Dr. A. A. Douglass, Superintendent of Modesto City Schools). The committee has held the following meetings:

October 25, Berkeley. Organization and appointment of Dr. A. A. Douglass as chairman; definition of scope of inquiry and related problems

November 8, Fresno. Appointment of Dr. C. S. Marsh as research consultant; formulation of plan for written report

December 6, Sacramento. Initial report by Dr. Marsh, summarizing previous studies of higher education installations in State and data on Sacramento area

December 30, Los Angeles. Continuation of reports by Dr. Marsh on state wide trends in post high school education in California: preparation of statement to Liaison Committee

December 30, Los Angeles. Submission of statement to Liaison Committee and instruction received from that body concerning public hearing in Sacramento

January 8, Sacramento. Public hearing with Senator Desmond and representatives of Sacramento civic groups

The committee and the research consultant have outlined the investigation and examined evidence gathered to date. Major divisions of the study are:

Previous legislative proposals of like or similar nature

Extent, population, and educational resources of the Sacramento area

Previous investigations dealing with the state policy in higher education

California students and their home residences

Population trends and industrial development in California

Future college enrollments

Possible solution of the crowded conditions in the colleges and universities

The Regents of the University of California and the State Board of Education having reviewed the findings of the Sacramento Junior College Survey Committee jointly report to the Fifty-seventh Session of the Legislature the results of their investigation and study and their recommendations, as follows:

1. The predicted increase in college students in California at both the two-year and four-year levels will demand a large increase in buildings, equipment, and personnel. In the case of the university, for which a careful study has been made, the increase beyond the present inflated enrollment is estimated to be over 50 percent by 1960 if present factors remain in operation. It is reasonable to suppose that an equal increase will occur in junior colleges and state colleges.

2. It is evident that facilities for education at the college level must be sharply enlarged within the next 10 years.

3. To care for the anticipated increase, both the University and the State College System must expand either by enlarging the present institutions or by adding new institutions, or both.

4. If the present balance is kept between the enrollment in the university and in the other colleges, the facilities of both must be greatly expanded. If the university should hold back its expansion by increased restriction on enrollment, the other colleges will have to expand still more rapidly than prediction on present circumstances would indicate. In other words, if we assume that the university will continue to emphasize the pre-professional, professional, and graduate education and to serve, both at the undergraduate and graduate levels, students of exceptional academic attainments, it will not be able to absorb an appreciable part of the increase in students attending junior colleges or state colleges.

5. The university will probably have to expand on other campuses besides those at Berkeley and Los Angeles, in order to accommodate its student body, even if the rate of increase is reduced by additional restriction on enrollment, in order that it may continue to perform substantially the functions it is now performing. One method of expanding its present facilities would be to enlarge the campuses at Davis and at Santa Barbara. Another method would be to add new campuses.

6. As the university expands its present campuses or adds new campuses, this expansion is not to be regarded as taking the place of the expansion of State College System, but rather as complementary to it.

7. To provide effectively for the great increase in students attending state colleges, new institutions of the same type should be set up to serve areas and population groups not now within reasonable distance of the present state colleges.

8. To the extent that the study upon which this report is based permits a conclusion, the committee believes that there is a definite need for increased facilities for higher education in the area of which Sacramento is a part, but it is evident before final recommendations can be made as to the nature and scope of the increased facilities needed further study of a year's length must be made in order that a proper balance in public higher education facilities may be assured. The study contemplated must, among other appropriate matters, make such investigation as is necessary to determine the total needs of the State for facilities for higher education and the types of service which should be provided by such facilities to meet the requirements of the people of the State and to determine what type of organization of higher education will best serve the people of the State. To delay decision on the Sacramento issue should insure that Sacramento will be given facilities proportionate to its merits.

9. It is therefore recommended that no new institution of higher education offering instruction beyond the fourteenth grade be established pending the completion of the study hereinbefore recommended.

10. Though studies of higher education in California have been made previously, none has ever been made under the joint sponsorship of the State Board of Education and the Regents of the University of California. These two bodies now join in recommending to the State Legislature that such a joint study be authorized and that adequate financial support be provided by the Legislature for this purpose, to the end that a specific report be completed prior to January 1, 1948.

The following bill is suggested as an appropriate one to be enacted in the present session of the Legislature:

An act making an appropriation for a comprehensive survey of the system of public higher education in California, including the junior colleges, the state colleges and the University of California.

The people of the State of California do enact as follows:

SECTION 1. The State Department of Education of California and the University of California are hereby authorized and directed to make a survey of the organization of public higher education in the State. This survey shall analyze the present and future needs of the State for education above the high school, with particular reference to the needs of each area of the State. It shall take account of the need for different types of higher education and the requirements of different types of students. It shall inquire whether these needs are best met by the present organization of colleges and the university or whether some different type of organization would be better. It shall inquire also into the financial support and shall make recommendation concerning such support. The survey shall be completed in time to make recommendations at the 1948 Session of the Legislature.

SEC. 2. The state board and the regents shall conduct the survey in any appropriate manner and shall employ such director and staff as deemed most suitable to conduct the survey.

SEC. 3. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of fifty thousand dollars (\$50,000) or so much thereof as may be necessary during the Ninety-ninth Fiscal Year for the prosecution of the survey described in Sections 1 and 2 of this bill.

Respectfully submitted,

For the Regents of the University of California

ROBERT G. SPROUL

President of the University of California

For the State Board of Education

ROY E. SIMPSON

Secretary and Executive Officer of the State Board of Education

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 21

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 3
Assembly Joint Resolution No. 7
Assembly Joint Resolution No. 12
Assembly Concurrent Resolution No. 14
Assembly Concurrent Resolution No. 15
Assembly Concurrent Resolution No. 16
Assembly Concurrent Resolution No. 17
Assembly Concurrent Resolution No. 18
Assembly Concurrent Resolution No. 19
Assembly Concurrent Resolution No. 26
Assembly Concurrent Resolution No. 29

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 2—An act to amend Section 1054 of the Code of Civil Procedure, relating to extensions of time.

Referred to Committee on Judiciary.

Assembly Joint Resolution No. 3—Relative to memorializing Congress to erect a monument to the unknown sailor.

Referred to Committee on Military and Veterans Affairs.

Assembly Joint Resolution No. 7—Relative to conferring citizenship upon all Indians, native of the United States, releasing them from status of wards of the government, and dividing and distributing the tribal reservations.

Referred to Committee on Rules.

Assembly Joint Resolution No. 12—Relative to memorializing Congress to enact legislation to control the manufacture and sale of inflammable materials.

Referred to Committee on Public Health and Safety.

Assembly Concurrent Resolution No. 14—Relating to the establishment of a state park on Angel Island in San Francisco Bay.

Referred to Committee on Natural Resources.

Assembly Concurrent Resolution No. 15—Relative to reports of the annual conventions of the American Legion.

Referred to Committee on Military and Veterans Affairs.

Assembly Concurrent Resolution No. 16—Relative to the reports of the sessions of the department encampment of the Grand Army of the Republic.

Referred to Committee on Military and Veterans Affairs.

Assembly Concurrent Resolution No. 17—Relative to reports of the annual conventions or encampments of the Veterans of Foreign Wars of the Department of California.

Referred to Committee on Military and Veterans Affairs.

Assembly Concurrent Resolution No. 18—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans.

Referred to Committee on Military and Veterans Affairs.

Assembly Concurrent Resolution No. 19—Relative to the reports of the annual conventions of the Disabled American Veterans of the World War of the Department of California.

Referred to Committee on Military and Veterans Affairs.

Assembly Concurrent Resolution No. 26—Relative to reports of the annual conventions of the American Veterans of World War II (AMVETS).

Referred to Committee on Military and Veterans Affairs.

Assembly Concurrent Resolution No. 29—Relative to approving certain amendments to the charter of the City of Huntington Beach, in the County of Orange, State of California, voted for and ratified by the electors of the city at the general municipal election held therein on the ninth day of April, 1946.

Request for Unanimous Consent

Senator Watson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 29, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 29

Assembly Concurrent Resolution No. 29—Relative to approving certain amendments to the charter of the City of Huntington Beach, in the County of Orange, State of California, voted for and ratified by the electors of the city at the general municipal election held therein on the ninth day of April, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, O'Gara, Powers, Quinn, Slater, Sutton, Watson, Weybret, and Williams—21.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 32

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 32—Relative to reports of the annual conventions of the Jewish War Veterans.

Referred to Committee on Military and Veterans Affairs.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 13

Assembly Joint Resolution No. 11

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

Assembly Joint Resolution No. 13—Relative to memorializing the President and Congress to have the Mammoth Pass Road constructed.

Referred to Committee on Natural Resources.

Assembly Joint Resolution No. 11—Memorializing Congress to enact legislation allowing the award of interest at the legal rate to successful employee claimants in claims adjusted under the Railway Labor Act.

Referred to Committee on Labor.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 321

Assembly Bill No. 455

Assembly Bill No. 603

Assembly Bill No. 714

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 321—An act to amend Sections 6011 and 6012 of the Revenue and Taxation Code, relating to sales and use taxes and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 455—An act to amend Section 2727.5 of the Business and Professions Code, relating to the qualifications of nurses, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Business and Professions.

Assembly Bill No. 603—An act to add Sections 19816.1 and 19816.4 to the Health and Safety Code, relating to inflammable articles and creating a Committee on Inflammable Wearing Apparel, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

Assembly Bill No. 714—An act to authorize the Department of Finance to acquire surplus housing facilities from the United States of America or any of its agencies for resale to veterans, making an appropriation, and declaring that this act shall take effect immediately.

Referred to Committee on Military and Veterans Affairs.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 18

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 27, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 227

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 27, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 154—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Senate Bill No. 155—An act making an appropriation for mileage of the Members and Officers of the Senate, without regard to fiscal years, to take effect immediately.

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of January, 1947, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 27, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 8—Relating to the purchase of an amphibian type of airplane for Division of Fish and Game, Department of Natural Resources.

Senate Concurrent Resolution No. 14—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-seventh day of January, 1947, at 4 p.m.

POWERS, Chairman

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, January 27, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:

Senate Bill No. 144

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 9.

DELAP, Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, January 27, 1947

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Assembly Bill No. 686

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

JESPERSEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 27, 1947

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 99

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

JESPERSEN, Chairman

Above reported bill ordered to second reading.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, January 27, 1947

MR. PRESIDENT: The Committee on Local Government, to which was referred:
Senate Bill No. 329

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Public Health and Safety.

Committee membership 9; committee vote: Ayes 5; absent 4.

CUNNINGHAM, Chairman

Above reported bill re-referred to Committee on Public Health and Safety.

RECESS

At 10.25 a.m., on motion of Senator Dillinger, the Senate recessed until 10.33 a.m., to hear the remarks of Frank N. Killam, Chief of the Buildings and Grounds Division.

REASSEMBLED

At 10.33 a.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek, at the desk.

RESOLUTIONS

The following resolution was offered:

By Senators Dillinger, Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams:

Senate Resolution No. 40

In a few days—on March 1st—another zealous, efficient and highly esteemed fellow worker, Frank N. Killam, leaves the service of our great State, retiring to a well earned vacation.

In these years of pleasant association—almost a quarter century—there has grown up, along with the trees and plants that he loved and tended so well, a warm personal friendship between him and the membership of this Legislature, with whom he worked. Now, as he terminates that pleasant relationship, it seems to be a fitting time to express our appreciation of his good work and our pleasant association.

He has always taken a keen interest in preserving California's historical background and relics of pioneer days. Only last session he assisted in securing the necessary legislative action and negotiated the purchase of the well known Margaret Kelley Collection of Historical Relics that might otherwise have gone to private collectors and been lost to California. Items of that collection may now be seen in the Capitol Rotunda and at Sutter's Fort, of which he is also custodian, and which is filled with many interesting relics.

He is a veteran of the Spanish-American War and a 33d Degree Mason, a rank achieved by few and attesting to the high regard in which he is held in that fraternity.

Capitol Park is one of the most unique and beautiful in all the world, due, in a very considerable part, to the efforts of Frank Killam. To stand in that beautiful park on a moonlight night on a summer evening and look upon nature's handiwork is an inspiring experience. Such an experience leads one to understand those immortal lines of that great writer

"Lives there a man with soul so dead,
Who never to himself has said,
This is my own, my native land."

Resolved by the Senate of the State of California, the Assembly concurring. That our congratulations and earnest good wishes go with our friend and co-worker, Frank N. Killam. May his vacation be a long and pleasant one, and may he return to visit us often, and

Resolved, That the Secretary of the Senate be authorized and requested to cause a suitably prepared copy of this resolution to be presented to him.

Resolution read, and, on motion of Senator Dillinger, adopted.

REPORTS OF STANDING COMMITTEES**Committee on Revenue and Taxation**

SENATE CHAMBER, SACRAMENTO, January 28, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 374

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership—11; committee vote: Ayes—7; absent—4.

QUINN, Chairman

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 374—An act to amend Sections 105 and 106 of the Revenue and Taxation Code, relating to the definitions of improvements and personal property and, declaring the urgency thereof to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 and 7, and insert "and except also anything installed in any building or structure for business trade, professional manufacturing or domestic use, regardless of".

Amendment No. 2

On page 1, line 11, of the printed bill, after "include", insert "vault doors".

Amendment No. 3

On page 1, line 14, of the printed bill, after "a", and before "trade", insert "business".

Amendment No. 4

On page 1 of the printed bill, strikeout lines 23 and 24, and insert "anything installed in any building or structure for business, trade, professional manufacturing or domestic use regard—".

Amendment No. 5

On page 2, line 2, of the printed bill, after "include", insert "vault doors".

Amendment No. 6

On page 2, line 5, of the printed bill, after "a", and before "trade", insert "business".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senator H. R. Judah Presiding

At 10.36 a.m., Senator H. R. Judah, of the Twenty-third District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time.

Senate Bill No. 454: By Senator Ward—An act to add Section 6407 to the Health and Safety Code, relating to sanitary districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

Senate Bill No. 455: By Senator Ward—An act to validate the formation, organization and existence of sanitary districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

Senate Bill No. 456: By Senators Watson and Weybret—An act to add Section 57.1 to, and to amend Section 13 of, the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 457: By Senator Brown—An act to add Sections 452 and 457 to the Education Code, relating to the qualifications and salaries of county superintendents of schools.

Referred to Committee on Education.

Senate Bill No. 458: By Senator Hatfield—An act to amend Section 4265 of the Political Code and Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class.

Referred to Committee on Local Government.

Senate Bill No. 459: By Senator Hatfield—An act to amend Section 737t of the Political Code, relating to salaries of judges.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 460: By Senator Hatfield—An act to amend Section 737x of the Political Code, relating to salaries of superior judges in Merced County.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 461: By Senator Hatfield—An act to amend Section 106 of the Water Code, relating to the use of water.

Referred to Committee on Water Resources.

Senate Bill No. 462: By Senators Hatfield and Desmond—An act to amend Section 132.5 of the Agricultural Code, relating to the control of pests on property belonging to or under the control of public agencies.

Referred to Committee on Agriculture.

Senate Bill No. 463: By Senator Hatfield—An act to amend Section 3 of "An act to provide for the payment of a portion of the bonded indebtedness of the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately," approved May 19, 1943, relating to the payment of a portion of the bonded indebtedness of the State of California, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 464: By Senator Hatfield—An act to amend Sections 11003 and 11005 and to repeal Section 11004 of the Revenue and Taxation Code, relating to the distribution of the proceeds of the Vehicle License Fee Law.

Referred to Committee on Transportation.

Senate Bill No. 465: By Senator Quinn—An act to amend Section 3065 of the Civil Code, providing for liens on logs, lumber and other timber products by persons who by their own labor, or by using their livestock, machinery or appliances, or both, assist in felling, preparing, or transporting logs or in manufacturing lumber or other timber products

from such logs, providing for means by which the owner of such logs and products manufactured therefrom may protect himself by a contractor's bond against any liens in excess of the contract price agreed upon between the said owner and any contractor and making such liens prior to all other liens, claims or encumbrances, except the landowner's claim for a reasonable stumpage in cases where the landowner himself is not the direct employer or contractor, as the case may be.

Referred to Committee on Judiciary.

Senate Bill No. 466: By Senators Desmond, Tenney, Busch, DeLap, Watson, Rich, Quinn, and Keating—An act to amend Section 274 of the Code of Civil Procedure, relating to phonographic reporters.

Referred to Committee on Local Government.

Senate Bill No. 467: By Senator Cunningham—An act to amend Section 3210 of the Civil Code, relating to the definition of inland bills of exchange.

Referred to Committee on Judiciary.

Senate Bill No. 468: By Senator Cunningham—An act to amend Section 3415 of the Civil Code, relating to actions to establish or compel the reissuance of private documents which have been lost or destroyed.

Referred to Committee on Judiciary.

Senate Bill No. 469: By Senator Rich—An act to add Section 16012 to the Government Code, relating to the disposition of unexpended balances of appropriations from the State Treasury.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 470: By Senator Judah—An act to amend Sections 20127, 20330, 20390, 20393, 20520, 20522, 20523, 20562, 20603, 20607, 20652, 20654, 20655, 20750, 20836, 20890, 20894.5, 20922, 21026.1, 21027, 21252.1, 21253, 21258, 21295, 21298, and 21360 of, to repeal Sections 20129 and 20493 of, and to add Sections 20894.2, 21254.1, 21290.5, and 21291.5 to, the Government Code, and to add Chapter 11, comprising Section 21500, to Part 3 of Division 5 of Title 2 thereof, relating to the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 471: By Senator Mayo—An act to amend Sections 7 and 26 of the Construction and Employment Act, relating to the State Allocation Board and to allocation of state funds to local agencies for the construction of public works.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 472: By Senator Mayo—An act to amend Sections 5 and 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations,

approved June 20, 1944," abolishing the Postwar Public Works Review Board and transferring its duties, powers, purposes, responsibilities and jurisdiction to the State Allocation Board.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 473: By Senator Deuel—An act making an appropriation for the construction of additional buildings and the purchase of equipment at Chico State College.

Referred to Committee on Education.

Senate Bill No. 474: By Senator Ward—An act to add Section 16725a to the Business and Professions Code, relating to the preservation and regulation of competition.

Referred to Committee on Business and Professions.

Senate Bill No. 475: By Senator Ward—An act to amend Sections 16752, 16753, and 16754 of the Business and Professions Code, relating to the preservation and regulation of competition.

Referred to Committee on Business and Professions.

Senate Bill No. 476: By Senator Ward—An act to amend Sections 16723 and 16724 of the Business and Professions Code, relating to the preservation and regulation of competition.

Referred to Committee on Business and Professions.

Senate Bill No. 477: By Senator Ward—An act to provide for leasing adequate facilities and service for the establishing and operation of telephone-typewriter systems in the City of Santa Maria, for the purpose of connecting the system with the telephone-typewriter system of communication maintained under the direction of the Bureau of Criminal Identification and Investigation between counties and cities and counties of this State, and to make an appropriation therefor.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 478: By Senator Ward—An act to amend Section 1350 of and to add Section 1352.1 to the Labor Code, relating to hours of labor for women.

Referred to Committee on Labor.

Senate Bill No. 479: By Senator Ward—An act to amend Section 718.5 of the Probate Code, relating to claims or demands by or against estates in probate.

Referred to Committee on Judiciary.

Senate Bill No. 480: By Senator Quinn—An act to amend Section 602 of the Penal Code, and Sections 4102 and 4127 of the Public Resources Code, and to add Section 4126.5 to the Public Resources Code, relating to establishing, regulating and protecting fire hazard areas.

Referred to Committee on Natural Resources.

Senate Bill No. 481: By Senator Kraft—An act to amend Section 105 of, and to add Section 105a, to the Revenue and Taxation Code, relating to property taxation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 492. By Senator Kraft—An act to add Chapter 11, comprising Sections 4926 to 4932 to Division VI, Part 1 of the Health and Safety Code, to provide for the admission of a person of a secondary position under certain conditions.

Referred to Committee on Public Health and Safety.

Senate Bill No. 493. By Senator Kraft—An act to study and recommend references where proposed public works for sanitary purposes.

Referred to Committee on Public Health and Safety.

Senate Bill No. 494. By Senator Kraft—An act to amend Section 116 of the Business and Professions Code, relating to the organization of the Department of Professions and Vocational Standards.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 495. By Senators Kraft, Keating and Winter—An act to amend Chapter 16, comprising Sections 4956 to 4964, inclusive, of Division 3 and to add Chapter 16, comprising Sections 4965 to 4971 inclusive, to Division 3 of the Business and Professions Code, relating to the care of the sick as allowed by licensed assistants, to schools for training attendants and to students in schools for training attendants.

Referred to Committee on Business and Professions.

Senate Bill No. 496. By Senator Kraft—An act to amend Sections 29004 and 29005 and to add Section 29006 to the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health and Safety.

Senate Bill No. 497. By Senator Kraft—An act to amend Section 29001 of the Health and Safety Code, relating to the sale of poison.

Referred to Committee on Public Health and Safety.

Senate Bill No. 498. By Senator Kraft—An act to amend Section 4968 of the Business and Professions Code, relating to the practice of pharmacy.

Referred to Committee on Business and Professions.

Senate Bill No. 499. By Senator Kraft—An act making an appropriation to the State Department of Education for completion of construction of buildings, improvements and equipment at San Diego State College.

Referred to Committee on Education.

Senate Bill No. 500. By Senator Kraft—An act to amend Section 4906 of the Business and Professions Code, relating to the salary of the Secretary of the Board of Examiners in Veterinary Medicine.

Referred to Committee on Business and Professions.

Senate Bill No. 501. By Senator Callaway—An act to amend Section 544 of the Military and Veterans Code, relating to military service and decorations.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 492: By Senator Judah—An act to amend Section 427 of the Fish and Game Code, relating to hunting and fishing, and the issuance of licenses therefor.

Referred to Committee on Fish and Game.

Senate Bill No. 493: By Senator Dillinger—An act to amend Sections 9, 25, 45, 45.7, and 93 of, and repeal Sections 9.7 and 56.5 of, and add Sections 20.5 and 56.5 to the Unemployment Insurance Act, relating to unemployment and disability insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 494: By Senator Burns—An act to amend Section 19626 of the Business and Professions Code, relating to allocation of "Fair and Exposition Fund."

Referred to Committee on Governmental Efficiency.

Senate Bill No. 495: By Senator Dillinger—An act to amend Section 6 of the Unemployment Insurance Act, relating to unemployment and disability insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 496: By Senator Dillinger—An act to repeal Section 207 of, and add Section 207 to, the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 497: By Senator Mayo—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 498: By Senator Breed—An act to amend Section 11000 of the Business and Professions Code, relating to subdivided lands.

Referred to Committee on Business and Professions.

Senate Bill No. 499: By Senator Breed—An act to add Sections 10131.5 and 10151.5 to the Business and Professions Code, relating to nonresident real estate brokers.

Referred to Committee on Business and Professions.

Senate Bill No. 500: By Senator Breed—An act to amend Section 9.07 of, and to add Section 9.12a to, the Building and Loan Association Act, relating to loans and the security therefor.

Referred to Committee on Financial Institutions.

Senate Bill No. 501: By Senator DeLap—An act to amend Section 5800 of the Labor Code, relating to findings and award of the Industrial Accident Commission under the Workmen's Compensation Act.

Referred to Committee on Labor.

Senate Bill No. 502: By Senator DeLap—An act to add Section 515 to the Streets and Highways Code, relating to state highway routes and adding a new route.

Referred to Committee on Transportation.

Senate Bill No. 503: By Senator DeLap—An act amending the title of, and adding Sections 4 and 5 to an act entitled "An act relating to retirement systems covering county or township officers or employees or a portion of such employees," approved May 10, 1933, relating to all public retirement systems.

Referred to Committee on Local Government.

Senate Bill No. 504: By Senator Carter—An act to amend Section 4284 of the Political Code and Section 28155 of the Government Code, relating to compensation for public services in counties.

Referred to Committee on Local Government.

Senate Bill No. 505: By Senator Carter—An act to amend Section 4259 of the Political Code and Section 28130 of the Government Code, relating to compensation for public services in counties.

Referred to Committee on Local Government.

Senate Bill No. 506: By Senator Carter—An act to amend Section 737aaa of the Political Code, relating to compensation of judges.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 507: By Senator Carter—An act to amend Section 737ss of the Political Code, relating to compensation of judges.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 508: By Senator DeLap—An act to repeal an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, relating to county employees' retirement system.

Referred to Committee on Local Government.

Senate Bill No. 509: By Senator DeLap—An act amending Sections 43.5, 46, 55.5, 57, 57.3, 90, 93, 102, 111, 112, 116, 118, 127, and 135 of, adding Section 129 to, and repealing Sections 31 and 117 of, the County Employees Retirement Act of 1937, relating to retirement.

Referred to Committee on Local Government.

Senate Bill No. 510: By Senator Burns—An act to add Section 32129 to the Health and Safety Code, relating to powers of boards of directors of local hospital districts.

Referred to Committee on Public Health and Safety.

Senate Bill No. 511: By Senator Burns—An act to add Section 10430 to the Health and Safety Code, relating to post mortem examinations.

Referred to Committee on Public Health and Safety.

Senate Bill No. 512: By Senator Burns—An act to add Section 32128 to the Health and Safety Code, relating to standards of hospitals operated by local hospital districts.

Referred to Committee on Public Health and Safety.

Senate Bill No. 513: By Senator DeLap—An act repealing Sections 31583, 31624, and 31678 of, adding Sections 31705 and 31706 to, and amending Sections 31521, 31526, 31560, 31621, 31644, 31645, 31671, 31672, 31676, 31677, 31679, and 31727 of the Government Code, relating to retirement.

Referred to Committee on Local Government.

Senate Bill No. 514: By Senator DeLap—An act repealing Chapter 2 of Part 1, of Division 4 of Title 3 of the Government Code consisting of Sections 31250 to 31369, relating to retirement.

Referred to Committee on Local Government.

Senate Bill No. 515: By Senator McBride—An act to amend Sections 10, 15, and 24 of the Ventura County Flood Control Act, relating to the Ventura County Flood Control District.

Referred to Committee on Water Resources.

Senate Bill No. 516: By Senator Burns—An act to amend Sections 8505, 8507, and 8562 of the Business and Professions Code, relating to the regulation of structural pest control.

Referred to Committee on Business and Professions.

Senate Bill No. 517: By Senator McBride—An act to amend Section 6060.5 of the Business and Professions Code, relating to bar examinations of veterans.

Referred to Committee on Judiciary.

Senate Bill No. 518: By Senator McBride—An act to add Section 87 to the Civil Code, relating to residence required in actions for annulment of marriage.

Referred to Committee on Judiciary.

Senate Bill No. 519: By Senator McBride—An act to add Section 678.5 to the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation.

Senate Bill No. 520: By Senator Busch—An act to add Section 3693 to the Political Code, relating to surveys of property tax assessment procedures and practices in the several counties and cities and counties, and making an appropriation to defray the incident expense.

Referred to Committee on Local Government.

Senate Bill No. 521: By Senator Busch—An act to add Article 3 to Chapter 2, Division 1, of the Education Code, relating to county superintendents of schools.

Referred to Committee on Education.

Senate Bill No. 522: By Senator Busch—An act to add Sections 434 and 451 to the Education Code, relating to the qualifications and salaries of county superintendents of schools.

Referred to Committee on Education.

Senate Bill No. 523: By Senator Busch—An act to amend Section 6600 of the Welfare and Institutions Code, and to add Article 3.5 to Chapter 1 of Part 4 of Division 6 of said code, relating to and providing for the admission of persons believed to be mentally ill to state hospitals on certification without court commitment, providing for court proceedings in relation to such persons where requested and providing for the rights, care and support of such persons in state hospitals and for their release therefrom.

Referred to Committee on Financial Institutions.

Senate Bill No. 524: By Senator Busch—An act to amend Section 4263 of the Political Code and Section 28134 of the Government Code, relating to compensation for public services in counties.

Referred to Committee on Local Government.

Senate Bill No. 525: By Senator Powers—An act to add Section 26137 to the Water Code, relating to irrigation districts.

Referred to Committee on Water Resources.

Senate Bill No. 526: By Senator Parkman—An act to repeal Sections 10240 and 10242 of the Insurance Code and to add Sections 10240, 10242, 10244, 10246, 10248, 10250, 10252, and 10254 to Chapter 3, Part 2, Division 2 of the Insurance Code, relating to funeral insurance.

Referred to Committee on Financial Institutions.

Senate Bill No. 527: By Senator Dilworth—An act to amend the Palo Verde Irrigation District Act, as amended, by amending Section 26, relating to estimates for levy of taxes and Section 28, relating to levy of taxes and by adding Section 28.1, relating to particular purpose taxes and by reenacting Sections 69 and 72, relating to the inclusion of lands in said district, all relating to the Palo Verde Irrigation District.

Referred to Committee on Water Resources.

Senate Bill No. 528: By Senator Dilworth—An act to add Section 1292 to the Military and Veterans Code, relating to headquarters for the United Spanish War Veterans, Department of California, and making an appropriation.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 529: By Senator Keating—An act to amend Sections 2762, 2763, 2764, 2765, 2767, 2769, 2771, 2773, and 2774 of the Penal Code, relating to prison road camps, and making an appropriation therefor.

Referred to Committee on Judiciary.

Senate Bill No. 530: By Senator Dilworth—An act to add Sections 12130.1 and 12406 to the Education Code, relating to the provisional general elementary credential.

Referred to Committee on Education.

Senate Bill No. 531: By Senator Dilworth—An act to amend Section 185 of the Education Code, relating to traveling expenses of officers and employees of the Department of Education.

Referred to Committee on Education.

Senate Bill No. 532: By Senator Dilworth—An act to add Section 12143 to the Education Code, relating to credentials issued by the State Board of Education.

Referred to Committee on Education.

Senate Bill No. 533: By Senator O'Gara—An act to amend Section 6 of the Municipal Court Act of 1925, relating to municipal courts.

Referred to Committee on Local Government.

Senate Bill No. 534: By Senator O'Gara—An act to add Section 6a to the Municipal Court Act of 1925, relating to municipal courts.

Referred to Committee on Local Government.

Senate Bill No. 535: By Senator Tenney—An act to amend Section 5001 of the Labor Code, relating to compromises and releases of workmen's compensation liability.

Referred to Committee on Labor.

Senate Bill No. 536: By Senator Tenney—An act to add Section 13117 to the Health and Safety Code, relative to fire protection in hotels.

Referred to Committee on Public Health and Safety.

Senate Bill No. 537: By Senator Tenney—An act to add Section 2165b to the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Senate Bill No. 538: By Senator Tenney—An act to amend Section 11117 of the Insurance Code, relating to life or disability insurance contracts.

Referred to Committee on Financial Institutions.

Senate Bill No. 539: By Senator Tenney—An act to add Article 7, comprising Section 700 to Chapter 1 of Division 2 of the Business and Professions Code, requiring practitioners of healing arts to issue to patients and other interested persons certificates of facts concerning patients.

Referred to Committee on Business and Professions.

Senate Bill No. 540: By Senator Tenney—An act to add Division 22.5, comprising Sections 31000 to 31301, inclusive, to the Health and Safety Code, providing for state reimbursement to hospitals for hospital services rendered to persons sustaining motor vehicle injuries, specifying the powers and duties of the State Department of Public Health in connection therewith, and making an appropriation therefor.

Referred to Committee on Public Health and Safety.

Senate Bill No. 541: By Senator Tenney—An act to adopt and define a state-wide system of plane coordinates, to provide for uniformity in the orientation of land surveys and maps within the State, and permitting the use thereof in surveying and mapping operations.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 542: By Senator Tenney—An act to amend Section 4004.5 of the Political Code and Section 23010 of the Government Code, relating to loans by counties.

Referred to Committee on Local Government.

Senate Bill No. 543: By Senator Tenney—An act to add Section 700.5 to the Vehicle Code, relating to the loading of vehicles.

Referred to Committee on Transportation.

Senate Bill No. 544: By Senator Tenney—An act to amend Sections 20602, 20602.1, 21252, 21252.1, and 21256 and to repeal Section 20602.3 of the Government Code, relating to the State Employees' Retirement System, providing for the rights, contributions, and pensions of patrol members and former patrol members in respect to said system, providing for the refund or other disposition of certain optional contributions by patrol members to said system, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 545: By Senator Tenney—An act to amend Section 12302 of the Government Code, relating to salaries of State Treasurer's assistants.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 546: By Senator Tenney—An act to amend Sections 736 and 736a of the Political Code, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 547: By Senator Tenney—An act to amend Section 19433 of the Business and Professions Code, relating to the salary of the Secretary of the California Horse Racing Board, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 548: By Senator Tenney—An act to amend Section 19533 and to repeal Sections 19535 and 19536 of the Business and Professions Code, relating to licenses to conduct horse race meetings.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 549: By Senator Tenney—An act to amend Section 19511 of the Business and Professions Code, relating to licenses issued by the California Horse Racing Board.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 550: By Senator Tenney—An act to amend Section 19510 of the Business and Professions Code, relating to licensing persons engaged in or connected with the racing of horses.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 551: By Senator Tenney—An act to amend Section 19435 of the Business and Professions Code, relating to witnesses before the California Horse Racing Board.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 552: By Senator Tenney—An act to amend Section 19431 of the Business and Professions Code, relating to the offices of the California Horse Racing Board.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 553: By Senator Tenney—An act to amend Section 19432 of the Business and Professions Code, relating to reports of the California Horse Racing Board.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 554: By Senator Tenney—An act to add Section 19485.5 to the Business and Professions Code, relating to license fees of operators of horse racing meetings.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 555: By Senator Tenney—An act to amend Sections 19485, 19597, and 19627 of and to add Sections 19401 and 19626.7 to, the Business and Professions Code, relating to the revenues derived from horse racing licenses.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 556: By Senator Tenney—An act to add Section 12143 to the Education Code, relating to the Department of Education.

Referred to Committee on Education.

Senate Bill No. 557: By Senator Tenney—An act to add Section 11181.2 to the Education Code, relating to instruction in the Constitution.

Referred to Committee on Education.

Senate Bill No. 558: By Senator Tenney—An act to amend Section 10603 of the Education Code, relating to the course of study in junior colleges.

Referred to Committee on Education.

Senate Bill No. 559: By Senator Tenney—An act to amend Section 10601 of the Education Code, relating to preparation and approval of courses of study.

Referred to Committee on Education.

Senate Bill No. 560: By Senator Powers—An act to amend Section 4278 of the Political Code and Section 28149 of the Government Code, relating to compensation for public services in counties.

Referred to Committee on Local Government.

Senate Bill No. 561: By Senator Powers—An act to amend Section 4273 of the Political Code and Section 28144 of the Government Code, relating to compensation for public service in counties.

Referred to Committee on Local Government.

Senate Bill No. 562: By Senator Powers—An act to amend Section 4269 of the Political Code and Section 28140 of the Government Code, relating to compensation for public service in counties.

Referred to Committee on Local Government.

Senate Bill No. 563: By Senator Powers—An act making an appropriation to pay the claim of V. R. Steffey and Betty Steffey against the State of California.

Referred to Committee on Finance.

Senate Bill No. 564: By Senator Mayo—An act to amend Section 3 of the Property Acquisition Act, relating to the acquisition of property by the State in connection with the postwar construction program.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 565: By Senator Powers—An act making an appropriation in augmentation of the appropriation in Item 9 of the Budget Act of 1943, for legislative printing, binding, etc., for the Fifty-sixth Session, to take effect immediately.

Referred to Committee on Finance.

Senate Bill No. 566: By Senator McBride—An act to amend Section 1622 of the Welfare and Institutions Code, relating to state payments for the inspection and licensing of boarding homes and institutions for children.

Referred to Committee on Social Welfare.

Senate Bill No. 567: By Senator McBride—An act to amend Section 2302 of the Welfare and Institutions Code, relating to state payments for the inspection and licensing of boarding homes and institutions for aged.

Referred to Committee on Social Welfare.

Senate Bill No. 568: By Senator Dilworth—An act to add Section 20374.1 to the Education Code, relating to the termination of employment of employees of state colleges.

Referred to Committee on Education.

Senate Bill No. 569: By Senator Dilworth—An act to provide for research by the University of California on the origin, prevention, and cure of cancer and to make an appropriation therefor.

Referred to Committee on Public Health and Safety.

Senate Bill No. 570: By Senator Dilworth—An act to add Section 2204.1 and 2204.2 to the Education Code, relating to meetings of governing boards of school districts.

Referred to Committee on Education.

Senate Bill No. 571: By Senator DeLap—An act to authorize the Department of Finance to acquire surplus housing facilities from the United States of America or any of its agencies for resale to veterans, making an appropriation, and declaring that this act shall take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 572: By Senator Slater—An act to provide for the purchase of the Sonoma Barracks as a part of the State Park System and making an appropriation therefor.

Referred to Committee on Natural Resources.

Senate Bill No. 573: By Senator Keating—An act to add Section 1511.1 to and to amend Sections 1510, 1511, 1512, 1554, 1555, and 1559 of the Welfare and Institutions Code, relating to aid to needy children and the amount of state and county aid to be provided for such children and making an appropriation.

Referred to Committee on Social Welfare.

Senate Bill No. 574: By Senator Keating—An act to amend Section 4251 of the Political Code and Section 28122 of the Government Code, relating to compensation for public services in counties.

Referred to Committee on Local Government.

Senate Bill No. 575: By Senator Keating—An act to amend Section 737u of the Political Code, relating to salaries of judges.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 576: By Senator Rich—An act to amend Section 31 of "The State Water Resources Act of 1945," relating to Sacramento River projects.

Referred to Committee on Water Resources.

Senate Bill No. 577: By Senator Rich—An act to amend Section 8361 of the Water Code, and to add Articles 4, 5, and 6 to Chapter 3 of Part 2 of Division 5 of said Water Code, all relating to the operation and maintenance of the works of the Sacramento River Flood Control Project, and other projects for which the Reclamation Board or the Department of Public Works has given, or shall hereafter give assurances to the United States of state or local cooperation required by federal law; providing for the payment of the cost of maintenance by means of assessments levied upon the property benefited by the operation and maintenance of such works, prescribing the duties of the Reclamation Board, the Department of Public Works, the State Engineer, and other public officers in connection therewith, creating certain funds in the State Treasury, and making an appropriation.

Referred to Committee on Water Resources.

Senate Bill No. 578: By Senator DeLap—An act to amend Section 2156 of the Education Code and to add Section 2160.1 to said code, relating to elections for the recall of members of governing boards of school districts.

Referred to Committee on Education.

Senate Bill No. 579: By Senator DeLap—An act to amend Section 141 of the Education Code, relating to the salary of the Superintendent of Public Instruction.

Referred to Committee on Education.

Senate Bill No. 580: By Senator Ward—An act to amend Section 6902 and to repeal Section 6903 of the Labor Code, relating to train crews.
Referred to Committee on Labor.

Senate Bill No. 581: By Senator Watson—An act making an appropriation to the Water Resources Board for the investigation of the water resources of the Santa Ana River stream system.

Referred to Committee on Water Resources.

Senate Bill No. 582: By Senator Watson—An act to amend Sections 4747 and 4811 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Public Health and Safety.

Senate Bill No. 583: By Senator Watson—An act to add Article 3.5 to Chapter 5, Title 2, Part 4, of the Political Code, and Chapter 3.5 to Part 3, Division 2, Title 3, of the Government Code, relating to the county controller.

Referred to Committee on Local Government.

Senate Bill No. 584: By Senator Hulse—An act to add Section 21189 to the Water Code, relating to irrigation districts.

Referred to Committee on Water Resources.

Senate Bill No. 585: By Senator Hulse—An act to add Section 22431.1 to the Water Code, relating to irrigation districts and to district works.

Referred to Committee on Water Resources.

Senate Bill No. 586: By Senator Hulse—An act to amend Section 22431 of the Water Code, relating to construction of works of an irrigation district along, over, under, on, or across property and restoration of the property.

Referred to Committee on Water Resources.

Senate Bill No. 587: By Senator Hulse—An act to amend Section 21658 of the Water Code, relating to nomination of candidates for offices in irrigation districts.

Referred to Committee on Water Resources.

Senate Bill No. 588: By Senator Hulse—An act to add Section 20571 to the Water Code, relating to irrigation districts and assessments of irrigation districts.

Referred to Committee on Water Resources.

Senate Bill No. 589: By Senator Hulse—An act to amend Section 22727 of the Water Code, relating to verified claims for damages.

Referred to Committee on Water Resources.

Senate Bill No. 590: By Senator Quinn—An act to add Section 20868 to the Government Code, relating to prior credit under the State Retirement System.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 591: By Senator O'Gara—An act to add Section 1354.5 to the Labor Code, relating to maximum hours of female employees in certain employment.

Referred to Committee on Labor.

Senate Bill No. 592: By Senator Quinn—An act making an appropriation for the repair and restoration of property damaged or destroyed by storms or floods, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Water Resources.

Senate Bill No. 593: By Senator Quinn—An act making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of additional real property for use of the Humboldt State College and in furtherance of the postwar building program.

Referred to Committee on Education.

Senate Bill No. 594: By Senator Quinn—An act making an appropriation for construction and improvements at Humboldt State College.

Referred to Committee on Education.

Senate Bill No. 595: By Senators Hatfield, Gordon, and Powers—An act to add Section 204.5 to the Agricultural Code, relating to infectious and contagious diseases of livestock and poultry, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 596: By Senators Quinn and Dilworth—An act to repeal Sections 330, 331, 332, and 435 of the Military and Veterans Code, relating to monthly allowances to commanding officers and organizations of the National Guard, the use of funds, the allowance of claims and the payment of rental for leased armory, to add a new Section 330 to the said code relating to expenses of commanding officers and organizations of the National Guard and the payment thereof, to amend Sections 413 and 432 of the Military and Veterans Code, relating to funds and property held in trust for commanding officers and organizations of the National Guard and the payment thereof and the payment of revenues received from state armories.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 597: By Senator Quinn—An act to amend Section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval, on February 25, 1901, relating to the issuance of municipal improvement bonds, providing for the payment thereof, declaring the urgency of this act, and providing that this act shall take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 598: By Senators Quinn and Dilworth—An act to amend Sections 161, 162, 164, 164.1, and 168 of the Military and Veterans Code, relating to the personnel of the Office of the Adjutant General, the establishment of the rank of Major General for the Adjutant General and the qualifications therefor, the establishment of the rank of Brigadier General for the Assistant Adjutant General and the qualifications therefor, the organization of the office of the Adjutant General, and the pay and allowances for the Adjutant General and the Assistant Adjutant General.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 599: By Senators Quinn and Dilworth—An act to amend Sections 321, 323, and 324 of the Military and Veterans Code, relating to the pay and allowances of enlisted men in the California National Guard, the furnishing of a uniform allowance to commissioned and warrant officers of the active militia and the pay and allowances of officers and enlisted men of the National Guard who perform special duty.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 600: By Senators Quinn and Dilworth—An act to amend the title of Chapter 1 and of Part 2, Division 2, of the Military and Veterans Code, relating to the name of the California High School Cadet Corps; to amend Sections 500, 500.1, 501, 502.1, 502.2, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512.1, 513.1, 514, 515.1, 516, 516.1, 517, 520.1, and 530 of said code, relating to the admission of colleges and junior college to the high school cadet program, the change in name of the high school cadet corps, the adoption of rules and regulations for the control of the cadet corps, the appointment of commandants, assistant commandants and assistant commandants, junior grade, the commissioning of cadet supervisors, the regulation of cadet uniforms and insignia, the organization of the cadet corps, the appointment of cadet officers and noncommissioned officers and their promotion, dismissal from the corps and the discipline of the corps, limitations as to formation of cadet corps, preparation of cadet instruction, inspections, marksmanship instruction, issuance of military property to cadets including rifles, schools and conferences for personnel, establishment of cadet units in private educational institutions, and commissioning of officers in military academies and professors of military science and tactics.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 601: By Senators Quinn and Dilworth—An act to repeal Sections 212 and 213 of the Military and Veterans Code, relating to the inactive National Guard and honorary members in the National Guard, and to amend Sections 16, 127, 142, 173, 183, 210, 224, 228, 256, 365, 394, 398, 417, 439, 470, and 644 of the Military and Veterans Code, relating to the administration of military oaths, assignment of military command, the employment of the military forces in the performance of necessary military duties, the publications of military material, the issuance of military property, the inactive National Guard, the priority of rank of military officers, the retirement of military officers and enlisted men, the temporary direction of the military forces by civil officers, discrimination against military personnel, the creation of an offense for

trespass upon military grounds, armories or military places, the transportation of military personnel and material, county aid for the National Guard, the delivery of military personnel to civil authorities and the issuance of service medals.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 602: By Senators Quinn and Dilworth—An act to amend Sections 450, 453, 454, 455, 456, 457, 458, and 459 of the Military and Veterans Code, relating to the administration of company punishment of members of the National Guard, to the appointment of special courts-martial, the appointment of summary courts-martial, the appointment of courts of inquiry and boards of investigating officers, the jurisdiction of general, special and summary courts-martial and the admission to bail of military persons charged with military offenses before military courts.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 603: By Senators Quinn and Dilworth—An act to repeal the California State Guard Act of 1943, added by Statutes of 1943, Chapter 295, Par. 4; to repeal Sections 560 to 589, inclusive, of the Military and Veterans Code, relating to the organization, administration, control, employment and discipline of the California State Guard, providing for privileges, benefits, compensation and insurance for state guardsmen, and to reserve and continue all claims, demands, rights, benefits, privileges or causes of action that have accrued under the provisions of Sections 572, 575, 576, 577, 578, 588, and 589 and to reserve all disciplinary power as to offenses heretofore committed including all authority granted by Sections 571 and 585, and to provide for the liquidation of the property, accounts, funds, assets and affairs of the California State Guard.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 604: By Senator Williams—An act to amend Section 25 of the Storm Water District Act of 1909, relating to expenses of maintaining and repairing storm-water district improvements.

Referred to Committee on Local Government.

Senate Bill No. 605: By Senator Williams—An act to add Section 4436 to the Public Resources Code, and to repeal Chapter 1496 of the Statutes of 1945, relating to forestry, providing for the development and maintenance of the Mountain Home Tract Forest.

Referred to Committee on Natural Resources.

Senate Bill No. 606: By Senator Williams—An act to add Chapter 1.5, comprising Sections 925 to 930, inclusive, to Part 3, Division 2 of the Labor Code, relating to fundamental labor rights.

Referred to Committee on Labor.

Senate Bill No. 607: By Senator O'Gara—An act to add Section 18.5 to the Labor Code, relating to state employees.

Referred to Committee on Labor.

Senate Bill No. 608: By Senator Carter—An act to add Chapter 4 to Division 3, of the Agricultural Code, providing for the registration of stallions and declaring a violation thereof to be a misdemeanor.

Referred to Committee on Agriculture.

Senate Bill No. 609: By Senator Hulse—An act to add Section 20570 to the Water Code, relating to irrigation districts.

Referred to Committee on Water Resources.

Senate Bill No. 610: By Senator Weybret—An act to provide for participation by the State of California in public celebrations and exhibits to be held throughout the State during 1948, 1949, and 1950 commemorating significant events in the history of the State, creating a commission therefor, defining its powers and duties, providing for advisory committees, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 611: By Senator O'Gara—An act to amend Section 18021 of the Government Code and to repeal Section 18022 of the Government Code, relating to hours of work.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 612: By Senator O'Gara—An act to amend Section 3212 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

Senate Bill No. 613: By Senator O'Gara—An act to add Section 2805 to the Labor Code, relating to discrimination in employment.

Referred to Committee on Labor.

Senate Bill No. 614: By Senator O'Gara—An act to amend Section 6.5 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 615: By Senator O'Gara—An act to amend Section 222 of the Labor Code and to add Section 222.1 to the Labor Code, relating to withholding of wages under collective bargaining agreements.

Referred to Committee on Labor.

Senate Bill No. 616: By Senator Judah—An act to amend Sections 2559, 2571, and 10616 of, to add Section 10631 to, and to repeal Sections 10010, 10011, and Chapter 4 of Division 3 consisting of Sections 2100, 2101, 2102, 2103, 2104, 2105 and 2106 of, the Health and Safety Code, relating to protection of the public health through the registration, reporting, quarantine, and control of communicable disease, and the registration of vital statistics.

Referred to Committee on Public Health and Safety.

Senate Bill No. 617: By Senator Judah—An act to repeal Section 152 of the Fish and Game Code, relating to refugees.

Referred to Committee on Fish and Game.

Senate Bill No. 618: By Senator Judah—An act to amend Section 4095 of the Political Code and Section 29802 of the Government Code, relating to void warrants.

Referred to Committee on Local Government.

Senate Bill No. 619: By Senator Hulse—An act to amend Section 4041.18 of the Political Code and to add Section 25452.5 to the Government Code, relating to powers of the board of supervisors.

Referred to Committee on Local Government.

Senate Bill No. 620: By Senator Hulse—An act to amend Section 4250 of the Political Code and 28121 of the Government Code, relating to compensation for public services in counties of the twenty-first class.

Referred to Committee on Local Government.

Senate Bill No. 621: By Senator Hulse—An act to amend Section 1 and Section 4.5 of an act entitled "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a system of group life, health and accident insurance and health services for the benefit of officers and employees and to deduct from the compensation thereof the premiums upon such insurance," approved May 25, 1939, and Section 1157 of the Government Code, relating to group annuities of public employees, the payment of premiums therefor and salary deductions for such payments, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 622: By Senator Hulse—An act to amend Section 737m of the Political Code, relating to salaries of judges of superior courts.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 623: By Senators Kraft, DeLap, and Breed—An act to add Article 1.5 to Chapter 2 of Division 1 of the Education Code, relating to county superintendents of schools.

Referred to Committee on Education.

Senate Bill No. 624: By Senators O'Gara, Crittenden, Keating, and Carter—An act making an appropriation for the purchase of land and the construction and equipment of a building thereon for Hastings College of the Law.

Referred to Committee on Education.

Senate Bill No. 625: By Senator McCormack—An act to amend Section 21101 of the Education Code, relating to the California Maritime Academy.

Referred to Committee on Education.

Senate Bill No. 626: By Senator McCormack—An act to amend Sections 352, 364, 472, and 496, and to repeal Section 336 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

Senate Bill No. 627: By Senator McCormack—An act to amend Sections 14033 and 14034 of the Government Code, relating to certain revolving funds.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 628: By Senator McCormack—An act to add Section 730.5 to the Streets and Highways Code, relating to penalties for damage to trees on state highways.

Referred to Committee on Transportation.

Senate Bill No. 629: By Senator McCormack—An act to amend Section 715.5 of the Vehicle Code, relating to reduction of weights on state highways.

Referred to Committee on Transportation.

Senate Bill No. 630: By Senators Brown, Mayo, Cunningham, McBride, and Powers—An act providing for the supervision and regulation of the transportation of persons and property for compensation by aircraft between places within the State of California; defining air common carriers and providing for the supervision and regulation thereof by the Public Utilities Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act.

Referred to Committee on Public Utilities.

Senate Bill No. 631: By Senators Dilworth, Watson, Salsman, and Breed—An act to amend Section 16 of the Construction and Employment Act, relating to sewage facility projects.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 632: By Senators Dilworth and O'Gara—An act to repeal Article 5 of Chapter 2, Part 3, Division 3 of Title 2 of the Government Code and to add Sections 1047 to 1052, inclusive to the Military and Veterans Code, relating to Napa State Farm.

Referred to Committee on Institutions.

Senate Bill No. 633: By Senator Dilworth—An act to amend Section 10752 of, and to add Sections 10752.5 and 10752.6 to, the Revenue and Taxation Code, relating to license fees upon motor vehicles.

Referred to Committee on Transportation.

Senate Bill No. 634: By Senators Powers, Carter, Collier, Jespersen, Crittenden and O'Gara—An act to amend Sections 6901, 6902, and 6903, of the Labor Code, relating to operation personnel of railroads.

Referred to Committee on Labor.

Senate Bill No. 635: By Senator Collier—An act to amend Section 737uu of the Political Code, relating to the salary of superior judges in and for the County of Siskiyou.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 636: By Senator Hatfield—An act making an appropriation to the Department of Motor Vehicles for the improvement of the California Highway Patrol Office at Merced.

Referred to Committee on Finance.

Senate Bill No. 637: By Senator Hulse—An act to amend Section 18554 of the Revenue and Taxation Code, relating to the personal income tax, including the payment thereof.

Referred to Committee on Revenue and Taxation.

Senate Constitutional Amendment No. 6: By Senator Mayo—Proposed amendment to Section 2 $\frac{1}{2}$ of Article II of the Constitution, relative to primary elections.

Referred to Committee on Elections.

Senate Constitutional Amendment No. 7: By Senator Tenney—Proposed amendment to the Constitution by adding Section 14 to Article XVI, relative to the responsibility of relatives of recipients of public assistance to contribute to their support, or to make reimbursement for public assistance granted.

Referred to Committee on Social Welfare.

Senate Concurrent Resolution No. 19: By Senator Tenney—Relative to a study by the Judicial Council of the State of California of the court structure of all courts in the State of California exercising jurisdiction inferior to the superior court.

Referred to Committee on Judiciary.

Senate Joint Resolution No. 6: By Senator Quinn—Relative to memorializing and petitioning the President and Congress of the United States to pass appropriate legislation to enable veterans who obtained guaranteed loans prior to December 28, 1945, to come within provisions of Public Law 268.

Referred to Committee on Military and Veterans Affairs.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 27, 1947

To the Senate of the State of California:

I have the honor to inform you that I propose to make the following appointment, to become effective February 1, 1947, and respectfully request your confirmation thereof and consent thereto:

WALLACE K. DOWNEY, a resident of Los Angeles;
as Insurance Commissioner, vice Maynard Garrison, resigned, effective February 1, 1947, for the term prescribed by law.

Mr. Downey is a veteran of World War II; served in the Navy from April, 1942, until February, 1946, as Lieutenant Commander; 30 months in European waters and six months in the Pacific. Mr. Downey is a native of California, having been born in Modesto in 1906. He attended the public schools and graduated from Stanford University in 1927; graduated from Stanford University Law School in 1930. He was admitted to practice law in 1930, and has practiced in Los Angeles since 1931. His office address is 2501 South Alameda, Los Angeles.

In accordance with my practice in the appointment of lawyers to judicial or administrative positions, I have submitted his name to the State Bar for its investigation and on January 17, 1947, I was advised by the President of the State Bar that in the opinion of the Board of Governors there is nothing in his character, training, or professional conduct to militate against his appointment to this position.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 28, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 19

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, January 28, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Assembly Bill No. 611

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 7; committee vote: Ayes 7.

McBRIDE, Chairman

Above reported bill ordered to second reading.

**WITHDRAWAL FROM COMMITTEE OF SENATE CONSTITUTIONAL
AMENDMENT NO. 1**

Senator Hatfield moved that Senate Constitutional Amendment No. 1 be withdrawn from Committee on Revenue and Taxation, for purpose of amendment, and referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 1.5 to Article XIII thereof, relating to the taxation of property owned by public districts.

Resolution read.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed measure, strike out "owned by public districts".

Amendment No. 2

On page 1 of the printed measure, strike out lines 8 to 16, inclusive, and insert:
"Sec. 1.5. Whenever property belonging to a public agency in any capacity, governmental or proprietary, is rented or leased to, or is for a consideration subject to any use by or for the benefit of, any person, firm, or corporation other than a public agency, such property is subject to taxation in the same manner, to the same extent, and subject to the same provisions for collection as if the property were privately owned.

As used in this section, "public agency" includes the State, any county, city and county, municipal corporation, or district in this State or any agency or person acting in behalf thereof.

This section shall prevail over any conflicting provisions of this Constitution."

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Revenue and Taxation.

Chief Assistant Secretary Cleve V. Taylor at the Desk

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 173—An act to amend Section 252 of the Unemployment Insurance Act, relating to claims for unemployment compensation disability benefits, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 19—An act to amend Sections 10150, 10151, 10200, 10201, 10208, 10211, 10212, 10213, 10216, 10221, 10275, 10276, 10320, 10328, 10331, 10332, 10333, 10340, 10375, 10376, 10420, 10427, 10430, 10431, 10432, 10439, 10515, 10516, 10580, 10588, 10591, 10592, 10593, and 10600 of the Business and Professions Code, to add Sections 10156.2, 10208.5, 10208.7, 10213.5, 10213.7, 10279.2, 10321.5, 10328.5, 10328.7, 10333.5, 10333.7, 10379.5, 10420.5, 10427.5, 10427.7, 10432.5, 10432.7, 10519.5, 10581.5, 10588.5, 10488.7, 10593.5, and 10593.7 thereto, and to repeal Sections 10101, 10102, 10209, 10214, 10329, 10334, 10428, 10433, 10589, and 10594 thereof, relating to fees and licenses of the State Division of Real Estate of the Department of Investment, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—34.

NOES—None.

Motion to Amend Title

Senator Breed moved the adoption of the following amendments to the title of Senate Bill No. 19:

Amendment No. 1

In line 8 of the title of the printed bill, as amended, in the Senate on January 27, 1947, strike out "19379.5", and insert "10379.5".

Amendment No. 2

In line 9 of the title of said bill, as amended, strike out "10488.7", and insert "10588.7".

Amendments read, and adopted.

Bill ordered reprinted, and transmitted to the Assembly.

Senate Bill No. 31—An act to amend Section 1187 of the Code of Civil Procedure, relating to mechanics' liens, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—36.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 360—An act making an appropriation for the support of child care centers, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

Motion to Amend

Senator Hatfield moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 46, of the printed bill, after "States.", insert

"The Legislature declares as its fixed policy that state support of child care centers should terminate on June 30, 1947."

Amendment read.

Amendment Withdrawn

Senator Hatfield withdrew his amendment to Assembly Bill No. 360.

The roll was called, and Assembly Bill No. 360 passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—Senators Desmond, Gordon, Hatfield, Hulse, Mayo, McCormack, and Sutton—7.

Motion to Reconsider

Senator Desmond moved to reconsider the vote whereby Assembly Bill No. 360 was passed.

Postponement of Reconsideration

On motion of Senator Desmond, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 360 was passed, was continued until the next legislative day.

Assembly Bill No. 373—An act to add Chapter 18, comprising Section 19500, to the Revenue and Taxation Code, relating to personal income taxes and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator DeLap.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—33.

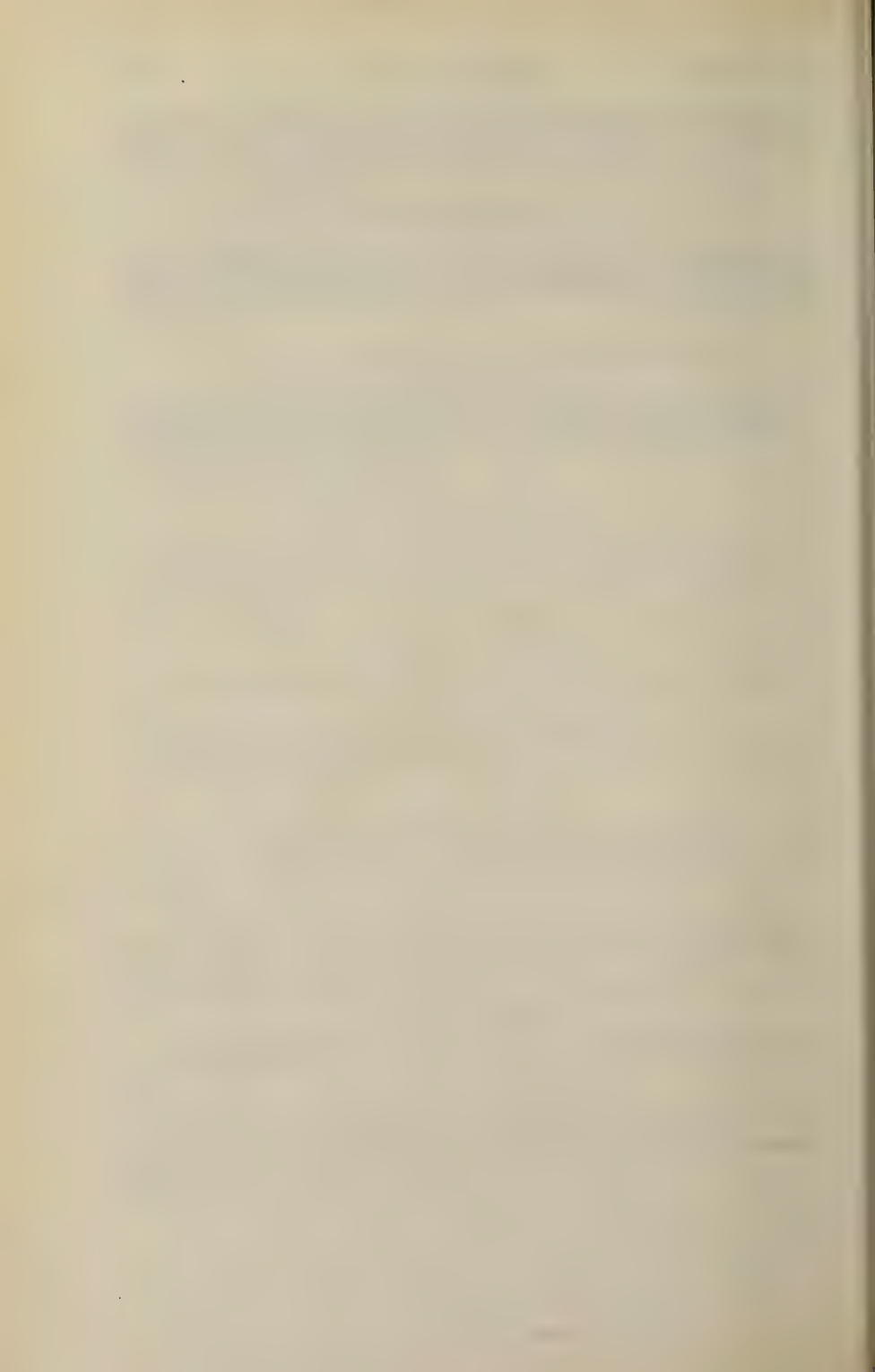
NOES—None.

Bill ordered transmitted to the Assembly.

ADJOURNMENT

At 11.55 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Wednesday, January 29, 1947.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

EIGHTEENTH LEGISLATIVE DAY

TWENTY-FOURTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, January 29, 1947

The Senate met at 10 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Frank A. Clarvoe of San Francisco.

On request of Senator DeLap, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Joseph W. Barkley of Martinez.

On request of Senators Busch and Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. V. P. O'Sullivan and Mr. Daniel Weyant of Colusa County.

On request of Senator Jespersen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Robert W. Hader of Menlo Park and Mrs. Wm. D. Hader of Redwood City.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Janice Reder and Bill Richler of Sacramento.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Chester R. Crain of Compton.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 34

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 34—Relative to persuading Dr. Robert Gordon Sproul to remain as President of the University of California.

Resolution read, and ordered placed on third reading file.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 402

Assembly Bill No. 962

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 402—An act to make an appropriation for the cost of auditing and collecting unemployment relief restitutions, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 962—An act to amend Section 4270 of the Political Code and Section 28141 of the Government Code, relating to compensation for public service in counties of the forty-first class, declaring the urgency hereto, to take effect immediately.

Referred to Committee on Local Government.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 64

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 45

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

REQUEST FOR UNANIMOUS CONSENT

Senator Brown asked for, and was granted, unanimous consent to take up Senate Bill No. 45, at this time, for consideration of Assembly amendments.

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 45—An act to repeal Sections 2 and 5 of, and to add new Sections 2 and 5 to, an act entitled "An act relating to real property of a city, county, or city and county, situate without the territorial boundaries of the owner, prescribing regulations concerning the handling and disposition of such property, whether by sale, lease, license or otherwise, and providing for the administration and enforcement of the provisions of this act," approved July 12, 1945, relating to the handling and disposition of such real property, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 45?

Amendment No. 1

In lines 8 and 9 of the title of the printed bill, strike out "and to add new Sections 2 and 5 to said act,".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 45 by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 28, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 10—Relative to the continuance of the Joint Fact-Finding Committee on Un-American Activities created by Resolutions Chapter No. 143 of the Fifty-sixth Regular Session;

Senate Concurrent Resolution No. 16—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 3 (Res. Ch. 20, 1945);

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-eighth day of January, 1947, at 12 m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 28, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 374

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, January 28, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Assembly Bill No. 21

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 7; absent 5.

KEATING, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 638: By Senator Mayo—An act to amend Section 2807 of the Education Code, relating to the formation of union elementary school districts.

Referred to Committee on Education.

Senate Bill No. 639: By Senator Hatfield—An act to add Chapter 4 comprising Sections 13801 to 13826, inclusive, to Part 2, Division 12 of the Health and Safety Code, and to add Section 682 to the Vehicle Code, relating to the transportation of flammable liquids, other than a liquid gas, over highways, streets and public thoroughfares, providing ways and means for enforcement, providing penalties for violations and making an appropriation.

Referred to Committee on Transportation.

Senate Bill No. 640: By Senators McBride and Cunningham—An act to provide for the regulation of insurance rates.

Referred to Committee on Financial Institutions.

Senate Bill No. 641: By Senator Deuel—An act to repeal Section 6028 of the Penal Code and to add Sections 6028, 6028.1, 6028.2, and 6028.3 thereto, relating to the functions of the Board of Corrections, authorizing the Governor to create special commissions to assist the board in the study of crime, and specifying the powers and duties of such commissions and of the board in relation thereto.

Referred to Committee on Judiciary.

Senate Bill No. 642: By Senators Gordon and Slater—An act to authorize the Director of Finance to sell and convey certain real property and making an appropriation of a portion of the proceeds thereof.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 643: By Senator Gordon—An act to amend Sections 737bb and 737ee of the Political Code, relating to salaries of judges of the superior court.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 644: By Senator Deuel—An act to amend Sections 275, 281, and 283 of the Agricultural Code, relating to bees.

Referred to Committee on Agriculture.

Senate Bill No. 645: By Senator Judah—An act to amend Sections 20830, 20831, and 20834 of the Government Code, relating to the

State Employees' Retirement System, and providing for the crediting of prior service.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 646: By Senator Judah—An act to amend Section 69a of the Civil Code and Sections 10526, 10530, 10531, 10532, 10533, 10534, and 10551 of, and to repeal Section 10527 of, the Health and Safety Code, relating to marriage.

Referred to Committee on Public Health and Safety.

Senate Bill No. 647: By Senator Judah—An act to amend Sections 20921 and 20922 of the Government Code, relating to crediting members with state service for time employed in federal service, under certain conditions, in connection with the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 648: By Senator Judah—An act to add Section 21253.1 to the Government Code, relating to prior service credit to state college instructors under certain conditions, in connection with the State Employees' Retirement Fund.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 649: By Senator Gordon—An act to amend Sections 4261 and 4264 of the Political Code, and to amend Sections 28132 and 28135 of the Government Code, relating to salaries of county officers.

Referred to Committee on Local Government.

Senate Bill No. 650: By Senators Dilworth and Jespersen—An act to amend Sections 4961, 4962 and 4963 of the Education Code, and to add Section 4961.1 to said code, all relating to the bonded indebtedness of school districts included in unified school districts.

Referred to Committee on Education.

Senate Bill No. 651: By Senator McBride—An act to add Section 14³/₄ to the County Waterworks District Act, relating to annexation of uninhabited territory to county waterworks districts.

Referred to Committee on Water Resources.

Senate Bill No. 652: By Senator McBride—An act to amend Section 1194.8 of the Insurance Code, relating to excess funds investments of incorporated insurers.

Referred to Committee on Financial Institutions.

Senate Bill No. 653: By Senator McBride—An act to amend Sections 1503 and 1503.2 of the Education Code, relating to school attendance.

Referred to Committee on Education.

Senate Bill No. 654: By Senator McBride—An act to add Chapter 9 to Part 2, Division 1, and to amend Section 1282 of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

Senate Bill No. 655: By Senator McBride—An act to amend Sections 14254, 14256, 14272, 14273, 14290, and 14292 of the Government Code, relating to state contracts.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 656: By Senators Mayo and Carter—An act to amend Section 126 of the Government Code, relating to the acquisition of land in this State by the United States.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 657: By Senator Donnelly—An act to make an appropriation for a poultry disease diagnostic station in Stanislaus County.

Referred to Committee on Agriculture.

Senate Bill No. 658: By Senator Donnelly—An act to add Article 11 to Chapter 2 of Division 10 of the Education Code, relating to a fire training program and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 659: By Senator Donnelly—An act making an appropriation for a State Fire Training School.

Referred to Committee on Education.

Senate Bill No. 660: By Senator Donnelly—An act to amend Section 6 of an act entitled "An act to promote the welfare of the poultry industry of the State of California; to encourage the breeding of poultry stock through public testing and demonstration of the results of superior breeding, and to make an appropriation," approved July 22, 1939, relating to the Poultry Improvement Commission.

Referred to Committee on Agriculture.

Senate Bill No. 661: By Senator Donnelly—An act making an appropriation to the Poultry Improvement Commission.

Referred to Committee on Agriculture.

Senate Bill No. 662: By Senator Donnelly—An act to amend Section 1 of an act entitled "An act to promote the welfare of the poultry industry of the State of California; to encourage the breeding of poultry stock through public testing and demonstration of the results of superior breeding, and to make an appropriation," approved July 22, 1939, relating to the Poultry Improvement Commission.

Referred to Committee on Agriculture.

Senate Bill No. 663: By Senator Donnelly—An act to amend Section 19622 of the Business and Professions Code, relating to the disposition of state revenues derived from the regulation and licensing of horse racing, horse racing meetings, and wagering on the results thereof.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 664: By Senator McBride—An act to amend Sections 135 and 136.5 of the Streets and Highways Code and Section 4200 of the Government Code, relating to state contracts.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 665: By Senator McBride—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

Referred to Committee on Financial Institutions.

Senate Bill No. 666: By Senators Rich, Swing, and DeLap—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, to take effect immediately.

Referred to Committee on Finance.

Senate Bill No. 667: By Senator McBride—An act to add Section 10203.7 to the Insurance Code, relating to group life insurance.

Referred to Committee on Financial Institutions.

Senate Bill No. 668: By Senator McBride—An act to amend Section 11529 of the Insurance Code, relating to voluntary mutualization of incorporated life and life and disability insurers.

Referred to Committee on Financial Institutions.

Senate Bill No. 669: By Senators O'Gara and McBride—An act to add Section 1711.2 to the Insurance Code, relating to nonresident life insurance agents and the powers of the Insurance Commissioner.

Referred to Committee on Financial Institutions.

Senate Bill No. 670: By Senators O'Gara and McBride—An act to add Section 1705.2 to the Insurance Code, relating to life and disability agents' licenses.

Referred to Committee on Financial Institutions.

Senate Bill No. 671: By Senators O'Gara and McBride—An act to amend Section 1673 of the Insurance Code, relating to the qualifications of nonresident insurance brokers and the powers of the Insurance Commissioner.

Referred to Committee on Financial Institutions.

Senate Bill No. 672: By Senator O'Gara—An act making an appropriation for a teacher training program in special education at a state college, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 673: By Senators Slater and Busch—An act to amend Section 647 of the Penal Code, relating to vagrants.

Referred to Committee on Judiciary.

Senate Bill No. 674: By Senator Quinn—An act to amend Section 72, and to repeal Section 73 of the Fish and Game Code, relating to districts.

Referred to Committee on Fish and Game.

Senate Bill No. 675: By Senator Quinn—An act to amend Section 74, and to repeal Section 75 of the Fish and Game Code, relating to districts.

Referred to Committee on Fish and Game.

Senate Bill No. 676: By Senator Quinn—An act to amend Sections 803, 922, and 943 of the Fish and Game Code, relating to fish, mollusks, and crustaceans and the taking thereof.

Referred to Committee on Fish and Game.

Senate Bill No. 677: By Senator Quinn—An act to amend Section 670 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Senate Bill No. 678: By Senator Quinn—An act to amend Section 877 of the Fish and Game Code, relating to the use of nets.

Referred to Committee on Fish and Game.

Senate Bill No. 679: By Senators Watson, Dilworth, Quinn, Dillinger, Gordon, McBride, Kraft, Ward, Rich, Jespersen, Swing, Brown, Judah, Slater, Carter, O'Gara, and Busch—An act to amend Sections 14.2, 15, 16, 16.1, 16.2, and 19.6 of the Fish and Game Code, relating to the general regulatory powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Senate Bill No. 680: By Senator Weybret—An act to amend Section 813 of the Agricultural Code, relating to cauliflower.

Referred to Committee on Agriculture.

Senate Bill No. 681: By Senator Weybret—An act to amend Section 813.5 of the Agricultural Code, relating to celery.

Referred to Committee on Agriculture.

Senate Bill No. 682: By Senator Weybret—An act to add Section 814.5 to the Agricultural Code, relating to Italian sprouting broccoli.

Referred to Committee on Agriculture.

Senate Bill No. 683: By Senator Weybret—An act to amend Sections 812, 812.2, 812.3, 812.4, 812.5, and 812.6 of the Agricultural Code, relating to carrots.

Referred to Committee on Agriculture.

Senate Bill No. 684: By Senators Hatfield, Desmond, and Crittenden—An act to add Section 560.2 to the Agricultural Code, relating to cream dressing.

Referred to Committee on Agriculture.

Senate Bill No. 685: By Senators Hatfield, Desmond, and Crittenden—An act to add Section 476.5 to the Agricultural Code, relating to freezing and cold storage of market cream.

Referred to Committee on Agriculture.

Senate Bill No. 686: By Senators Hatfield, Desmond, and Crittenden—An act to add Section 553.3 to the Agricultural Code, relating to evaporated chocolate milk.

Referred to Committee on Agriculture.

Senate Bill No. 687: By Senators Hatfield, Desmond, and Crittenden—An act to add Section 559.5 to the Agricultural Code, relating to fermented milk.

Referred to Committee on Agriculture.

Senate Bill No. 688: By Senators Hatfield, Desmond, and Crittenden—An act to amend Section 469.5 of the Agricultural Code, relating to milk and cream.

Referred to Committee on Agriculture.

Senate Bill No. 689: By Senators Hatfield, Desmond, and Crittenden—An act to amend Section 562 of the Agricultural Code, relating to skim milk and milk drinks.

Referred to Committee on Agriculture.

Senate Bill No. 690: By Senators Hatfield, Desmond, and Crittenden—An act to amend Section 479 of, and to add Section 479.5 to, the Agricultural Code, relating to milk drinks.

Referred to Committee on Agriculture.

Senate Bill No. 691: By Senators Hatfield, Desmond, and Crittenden—An act to amend Section 545 of the Agricultural Code, relating to cheese.

Referred to Committee on Agriculture.

Senate Bill No. 692: By Senators Hatfield, Desmond, and Crittenden—An act to amend Sections 542 and 543 of, and to add Section 542.1 to, the Agricultural Code, relating to pasteurized process and blended cheese and cheese products.

Referred to Committee on Agriculture.

Senate Bill No. 693: By Senators Hatfield, Desmond, and Crittenden—An act to amend Sections 545.5, 546, and 547 of, and to add Section 548 to, the Agricultural Code, relating to sale and labeling of cheese.

Referred to Committee on Agriculture.

Senate Bill No. 694: By Senators Hatfield, Desmond, and Crittenden—An act to amend Section 26496 of the Health and Safety Code, relating to misbranding.

Referred to Committee on Public Health and Safety.

Senate Bill No. 695: By Senator Hatfield—An act to amend Section 742.1 of the Agricultural Code, relating to the California Industry Advisory Board and the powers, duties and responsibilities thereof and of the Director of Agriculture in connection therewith.

Referred to Committee on Agriculture.

Senate Bill No. 696: By Senator Keating—An act to add Section 10251.5 to the Health and Safety Code, relating to delayed birth registration of adopted persons.

Referred to Committee on Public Health and Safety.

Senate Bill No. 697: By Senator Tenney—An act to add Sections 80 and 81 to the Streets and Highways Code, relating to the California Highway Commission.

Referred to Committee on Transportation.

Senate Bill No. 698: By Senator Crittenden—An act to amend Section 27701 of the Water Code, relating to dissolution of districts.

Referred to Committee on Water Resources.

Senate Bill No. 699: By Senator Keating—An act to amend Sections 581 and 582 of the Code of Civil Procedure and to add Sections 581c and 581d to the Code of Civil Procedure, relating to dismissals and nonsuits.

Referred to Committee on Judiciary.

Senate Bill No. 700: By Senator Keating—An act to amend Section 437c of the Code of Civil Procedure, relating to summary proceedings and judgments.

Referred to Committee on Judiciary.

Senate Bill No. 701: By Senator Watson—An act to amend Section 20602.6 of the Government Code, relating to contributions of warden members to the State Employees' Retirement System, and providing for state payment of a portion of such contributions payable for current service rendered prior to July 1, 1945.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 702: By Senator Judah—An act to add Section 18596 to the Government Code, relating to the Chief of the State Division of Beaches and Parks.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 703: By Senator Ward—An act to amend Section 19421 of the Business and Professions Code, relating to the California Horse Racing Board.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 704: By Senator Ward—An act to amend Section 337.9 of the Penal Code, relating to crimes relating to horse racing.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 705: By Senator Ward—An act to amend Section 337 of the Penal Code, relating to horse racing and prescribing penalties for illegal acts and practices in connection therewith.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 706: By Senator Ward—An act to amend Section 19621 of the Business and Professions Code, relating to the appropriation to defray expenses of the officers and employees of the board.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 707: By Senator Ward—An act to amend Section 19597 of the Business and Professions Code, relating to horse racing and regulating the commissions to be deducted from pari-mutuel pools.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 708: By Senator Ward—An act to amend Section 19538 of the Business and Professions Code, relating to horse racing and licensing to conduct horse race meetings.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 709: By Senator Ward—An act to add Section 19512.5 to the Business and Professions Code, relating to the obligations of licensees of the California Horse Racing Board in respect to horses in their charge.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 710: By Senator Ward—An act to amend Sections 19485 and 19597 of, and to add Section 19620.5 to, the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 711: By Senator Ward—An act to amend Section 19431 of the Business and Professions Code, relating to the offices of the California Horse Racing Board.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 712: By Senator Ward—An act to amend Section 205 of the Streets and Highways Code, relating to apportionment of highway funds to cities, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Transportation.

Senate Bill No. 713: By Senator Ward—An act to add Sections 33 and 34 to the Construction and Employment Act, making an appropriation to be allocated to cities incorporated on or after May 21, 1946 and before the effective date of this act.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 714: By Senator Ward—An act to add Sections 108 and 109 to the Bank Act and to add Article 6, comprising Sections 18210 to 18216, inclusive, to Chapter 8 of Part 10 of Division II of the Revenue and Taxation Code, relating to common trust funds.

Referred to Committee on Financial Institutions.

Senate Bill No. 715: By Senators Crittenden, Deuel, Watson, and Cunningham—An act to amend Sections 11, 12, 13, and 17 of the State Water Resources Act of 1945, relating to water, prescribing powers and duties of the Water Resources Board, and providing for conferences, hearings, investigations, studies, plans, estimates, recommendations and reports concerning water problems and projects and the control, conservation, protection and utilization of water resources.

Referred to Committee on Water Resources.

Senate Bill No. 716: By Senator Salsman—An act to amend Section 38f of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 717: By Senator Salsman—An act to amend Section 2 of the Corporate Securities Act, relating to the exemption of guarantees of promissory notes from the provisions of said act.

Referred to Committee on Financial Institutions.

Senate Bill No. 718: By Senator Salsman—An act to amend Section 2924c of the Civil Code, relating to the reinstatement of a deed of trust or mortgage, and the payment of arrearages and costs.

Referred to Committee on Judiciary.

Senate Bill No. 719: By Senator Salsman—An act to amend Section 737qq of the Political Code, relating to salary of superior court judges.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 720: By Senator Salsman—An act relating to aeronautics; providing for the development and regulation thereof within this State; creating a State Aeronautics Commission and the Office of Director of Aeronautics; prescribing the powers and duties of such commission and director; prescribing penalties; and to make uniform the law with reference to state development and regulation of aeronautics.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 721: By Senator Salsman—An act making an appropriation for the support of the California Aeronautics Commission.

Referred to Committee on Finance.

Senate Bill No. 722: By Senator Salsman—An act relating to federal aid for the development of public airports.

Referred to Committee on Local Government.

Senate Bill No. 723: By Senators Swing, Hulse, Hatfield, Gordon, Watson, and Brown—An act to provide for a recreational program and for the acquisition and construction of lands and facilities for the propagation and conservation of wildlife, creating a board to acquire the necessary property to carry out such program, and to provide for the maintenance and operation of the property and facilities so acquired, and making an appropriation.

Referred to Committee on Fish and Game.

Senate Bill No. 724: By Senators Slater and Parkman—An act to amend Section 13842 of the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 725: By Senator Dillinger—An act to add Part 13 comprising Sections 25751 to 26155, inclusive, to Division 2 of the Revenue and Taxation Code, relating to the levy of a state tax on cigarettes and providing for the allocation and appropriation of the revenue derived therefrom to the separate cities and counties.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 726: By Senators Carter, Tenney, and Salsman—An act relating to insurance, including provisions for the fixing and regulation of rates, and authorizing and regulating rating and other organizations formed to serve insurers.

Referred to Committee on Financial Institutions.

Senate Bill No. 727: By Senator Carter—An act to amend Sections 3212 and 4850 of the Labor Code, relating to workmen's compensation and employees' retirement system.

Referred to Committee on Labor.

Senate Bill No. 728: By Senator Carter—An act to amend Section 911 of the Insurance Code, relating to information concerning fire insurance in financial statements of insurers.

Referred to Committee on Financial Institutions.

Senate Bill No. 729: By Senator Carter—An act to provide a retirement system for members of regularly organized fire departments, establishing a Firemen's Retirement Fund, providing for contributions thereto by governmental agencies employing members of the system, and by the State, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 730: By Senator Desmond—An act appropriating money to be expended by the State Department of Finance for the acquisition of property rights to be used in cooperation with the Federal Government in accordance with the provisions of United States Senate Document 142, Seventy-ninth Congress, Second Session.

Referred to Committee on Local Government.

Senate Bill No. 731: By Senator Desmond—An act to amend Sections 6838, 6862, 6867, 6894, 6896, and 6943 of the Harbors and Navigation Code, relating to river port districts.

Referred to Committee on Local Government.

Senate Bill No. 732: By Senator Desmond—An act to add Section 3722 to the Political Code, relating to the organization of river port districts for assessment and taxation purposes.

Referred to Committee on Local Government.

Senate Bill No. 733: By Senator Desmond—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 734: By Senator Desmond—An act making an appropriation to the Department of Education for the purchase and distribution of books.

Referred to Committee on Education.

Senate Bill No. 735: By Senator Carter—An act making an appropriation to the Division of Forestry for making a forest survey in cooperation with the California Forest and Range Experiment Station.

Referred to Committee on Natural Resources.

Senate Bill No. 736: By Senator Carter—An act making an appropriation for the acquisition of land for state forests.

Referred to Committee on Natural Resources.

Senate Bill No. 737: By Senator Carter—An act to amend Section 600 and to add Section 600.5 to the Penal Code, relating to burning structures or other things not subject to arson, and providing a penalty.

Referred to Committee on Natural Resources.

Senate Bill No. 738: By Senator Carter—An act to amend Section 4352 of the Public Resources Code, relating to state nurseries.

Referred to Committee on Natural Resources.

Senate Bill No. 739: By Senator Carter—An act to amend Sections 4002, 4003, and 4008 of the Public Resources Code, relating to prevention and control of forest fires.

Referred to Committee on Natural Resources.

Senate Bill No. 740: By Senator Carter—An act to add Chapter 10 to Division 4 of the Public Resources Code, relating to the cutting and marketing of Christmas trees for commercial purposes.

Referred to Committee on Natural Resources.

Senate Bill No. 741: By Senator Dilworth—An act to amend Sections 1083, 1083.3, 1083.5, 1089, and 1091 of the Agricultural Code, relating to commercial feeding stuffs.

Referred to Committee on Agriculture.

Senate Bill No. 742: By Senator Dilworth—An act to add Section 1066.1 to the Agricultural Code, relating to economic poisons sales.

Referred to Committee on Agriculture.

Senate Bill No. 743: By Senator Dilworth—An act to add Section 1066.6 to the Agricultural Code, relating to sodium fluoroacetate.

Referred to Committee on Agriculture.

Senate Bill No. 744: By Senator Dilworth—An act to add Sections 332 and 333 to the Fish and Game Code, relating to motorized travel within secluded and primitive areas.

Referred to Committee on Fish and Game.

Senate Bill No. 745: By Senator Carter—An act to amend Sections 4151, 4165, and 4167 of the Public Resources Code, relating to forestry.

Referred to Committee on Natural Resources.

Senate Bill No. 746: By Senators Busch, Jespersen, Hatfield, Collier, Parkman, McCormack, Mayo, Williams, DeLap, Powers, Carter, Rich, Swing, Deuel, Burns, Hulse, O'Gara, Tenney, Kraft, Breed, Gordon, Slater, Cunningham, Quinn, Keating, Weybret, McBride, Judah, Ward, Brown, Salsman, Crittenden, Desmond, and Dillinger—An act to amend Section 12000 of the Government Code, relating to the salary of the Governor.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 747: By Senator Busch—An act to amend Section 622 of the Fish and Game Code, relating to taking trout and salmon.

Referred to Committee on Fish and Game.

Senate Concurrent Resolution No. 20: By Senator Parkman—Relative to approving certain amendment to the charter of the County of San Mateo, State of California.

Request for Unanimous Consent

Senator Parkman asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 20, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 20

Senate Concurrent Resolution No. 20—Relative to approving certain amendment to the charter of the County of San Mateo, State of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 99—An act reappropriating to the Department of Public Works for expenditure exclusively for surveying projects for the control, conservation and utilization of water resources for any beneficial purpose required for mountainous areas of this State, the unexpended and unencumbered balance of funds appropriated by the Flood Control Fund Act of 1946, approved March 12, 1946, and allocated to the Department of Public Works by Section 15 of said act; repealing said Section 15 of said act; declaring the urgency of this act, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 686—An act to add Section 21189 to the Water Code, relating to irrigation districts, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 611—An act to add Article 4 to Chapter 1, Part 3, Division 2, of the Insurance Code, relating to insurance, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out the second "such", and insert: "automobile bodily injury and property damage".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 418

Senator Judah moved that Senate Bill No. 418 be withdrawn from Committee on Governmental Efficiency, for purpose of amendment, and be re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 418—An act to amend Sections 20025, 20750, and 21252 of, and to add Sections 20025.1, 21251.1, and 21251.2 to, the Government Code, relating to the State Employees' Retirement System, revising the rate of state contributions thereto and benefits payable therefrom with respect to certain classes of members thereof, including state miscellaneous members who have retired prior to the effective date hereof, and revising the amount of compensation of certain classes of members which is subject to computations under the system.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 45, of the printed bill, after "cellaneous member," insert: "or for a local miscellaneous member."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

MOTION TO PRINT REPORT

Senator Burns moved that the Report on Blood Bank Services in California be printed in the Journal, and 1,500 additional copies of the report be printed in 10-point type.

Motion carried.

REPORT ON BLOOD BANK SERVICES IN CALIFORNIA

Submitted by the State Department of Public Health to the Governor and to the Fifty-seventh Session of the California Legislature Pursuant to Senate Concurrent Resolution No. 57, Passed by the Fifty-sixth Session

JANUARY, 1947

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC HEALTH

SAN FRANCISCO (2), CALIFORNIA, January 1947

*His Excellency The Governor of California
and the Fifty-seventh California Legislature
State Capitol, Sacramento, California*

GENTLEMEN: Pursuant to Senate Concurrent Resolution No. 57 of the Fifty-sixth Session of the State Legislature, we are submitting herewith a copy of our Report and Recommendations on Blood Bank Services in California. Senate Concurrent Resolution No. 57 is as follows:

"Relative to the providing of human blood and its derivatives to the people of this State.

WHEREAS, It is the desire of the Legislature to provide in every way possible for the provision of human blood and derivatives of human blood throughout the State to the end that these products be made readily available to all the people of the State; and

WHEREAS, It is necessary in making such provisions that the Legislature be fully informed on the provision that the Legislature be fully informed on the problems relating to the provision of such products; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Department of Public Health is hereby requested and directed to investigate the problem of provision of human blood and derivatives of human blood to the people of the State and that the State Department of Public Health shall report to the Fifty-seventh Session of the Legislature the results of its investigation and make recommendations as to a program for making such products available, together with facilities required for such purposes and the cost thereof; and be it further

Resolved, That the Governor and the State Reconstruction and Reemployment Commission be requested to include a study of such as part of postwar planning; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Governor, to the Department of Public Health, and the State Reconstruction and Reemployment Commission."

Sincerely,

WILTON L. HALVERSON, M.D., Director of Public Health

**BLOOD BANK SERVICES IN CALIFORNIA
A SUGGESTED PROGRAM FOR THEIR DEVELOPMENT**

I. Preface

During the great world conflagration, World War II, the application of whole blood in the treatment of wounded combatants and the

availability of dried plasma on the battlefields were among the notable contributions of science toward a final victory and the ultimate saving of many lives in civilian and military operations. The majority of California's blood banks originated during this effort to supply adequate amounts of these and other blood derivatives for military and civilian protection. Today blood and plasma banks have been proved essential for efficient, safe, and more economical transfusion services in the practice of medicine. The importance of whole blood over blood plasma is expressed by the demand for five units of blood to every unit of plasma in the hospitals which are now served by blood banks. Blood fractions or the refined products, which are made by separating plasma into its various component parts, hold much promise in the future, but the processing and manufacture of these substances is still in an early stage of development.

II

A. A Summary Concerning the Present Blood Banks in the State

(1) There are 28 blood banks in the State at present. Eleven are located north of a horizontal line through Fresno, and 17 are in the southern part of the State. (See Map I.)

(2) Blood banks are divided into three groups: 5 community type banks; 9 county hospital banks; and 14 hospital or private banks.

(3) Eighty-four hospitals containing 17,559 beds receive blood and plasma from these banks. This represents less than one-half the general hospital beds in the State and therefore less than 50 percent of all general hospital beds are now being served by blood banks.

(4) In response to a questionnaire 64 percent of the hospitals which are without blood bank services were in favor of a state-wide program, 26 percent were undecided, and 10 percent were not in favor of such a program.

(5) In 1945 the above 84 general hospitals used about 61,000 units of whole blood or an average of 3.5 units per general hospital bed per year. They also reported having used approximately 7,500 units of plasma. The total needs of the State are estimated to be approximately 140,000 units of whole blood per year on the basis of four units per bed per year, and approximately 28,000 units of plasma per year.

(6) From a questionnaire to the hospitals which do not share these bank facilities, the average use of blood is less than one unit per bed per year.

(7) Under the spontaneous development of the blood banks in the State the community type of blood bank has been formed in only a few areas. The lack of community blood banks has resulted in an uneven distribution of blood. Northern California with a potential 32 percent of the population now receives 65 percent of the total blood from the banks and Southern California with 48 percent of the population which might be served has only 35 percent of the total bank blood. There are three areas without any available banks. (Map III.)

(8) At present four of the five community banks are located in the San Francisco Bay area. These four banks serve almost all the hospitals in the area, and they furnish almost as much blood as the remaining 24

banks which are currently operating in the State. (See Table I Appendix.)

(9) The standards to which the banks adhere are quite variable. Many practices now carried on are questionable, if not potentially dangerous.

(10) The locations, size, and physical equipment of many banks make expansion of their present facilities an impossibility.

B. Recommendations for the Solution of the Problem:

(1) It is recommended that the State be divided into 14 separate blood bank areas approximately as outlined in Map II.

(2) It is recommended that there be a local community blood bank in each of these 14 areas.

(3) It is recommended that these blood banks be financed and maintained by local funds. The procedure for current financing may vary from bank to bank but experience has shown that the payment of a processing charge by the patient receiving the blood is a feasible method for maintaining the blood bank. Such charges vary from \$5 to \$10 per unit of blood depending upon the volume of units handled. Another possible procedure is for the community to finance the bank from donated and/or public funds. The administration and the distribution of blood should be a local function under locally employed personnel. Local, civic and public agencies should cooperate in establishing and maintaining each bank.

(4) It is recommended that the State Department of Public Health provide personnel to assist in the establishment of the community blood banks; to integrate the activities of the community blood banks; to serve as consultants and to require the maintenance of high standards in all blood banks in California. In the initial phase of the program such personnel will be one physician, one blood bank technician, and one expert in community organization and public health education.

(5) It is recommended that the State Department of Public Health assist financially to the extent of not more than 50 percent or a maximum limit of \$10,000, whichever is less, in the cost of establishing any community blood bank, or in covering the cost of needed expansion of facilities of any existing community bank during any one year.

(6) It is recommended that blood fractions be processed, if possible, by commercial biological laboratories under a contract with the State Department of Public Health, or by the State Department of Public Health, and returned for distribution.

(7) It is recommended that the California Medical Association, the Association of California Hospitals, the Association of Osteopathic Physicians and Surgeons, the American Red Cross, and other interested state-wide agencies assist the State Department of Public Health in the furtherance of these plans through their constituent state and local organizations.

(8) It is recommended that an advisory committee be appointed by the State Board of Public Health to advise in the administration of the program. Such an advisory committee should be composed of representatives from blood banks, physicians and hospital organizations, and

other groups which may aid in the development, maintenance and coordination of the program.

(9) It is recommended that an appropriation of \$75,000 be made to perform the above tasks during the first year.

(10) As the state-wide blood bank program develops, it may be necessary for the Department of Public Health to participate in the financing of the processing costs for plasma and blood fractions. The details of this part of the program remain to be formulated. Present indications are that the Red Cross surplus of these products will be ample for the next 18 months to two years, and consequently no recommendations on this point can be made at this time.

C. Conduct of the Study:

Under the mandate of the resolution, the Division of Laboratories has conducted an inquiry into the distribution of blood banks, the operation of these banks, and the need for whole blood and plasma in the State. A questionnaire was mailed to all the hospitals in the State with requests concerning the use of blood bank facilities, the standards practiced in transfusion services, and the attitude of the hospitals toward a coordinated program in the State.

A direct survey of all known blood banks in the State was made by a physician in the Division of Laboratories.

An advisory committee, which included representatives of the California Medical Association, the California Association of Osteopathic Physicians, the American Red Cross, the Association of California Hospitals, the State Board of Health, and an expert in blood bank techniques, was formed to assist in the evaluation of this report and the proposed program. The State Department of Public Health is duly grateful for the patience, advice, cooperation, and assistance which the above committee rendered toward the proposed solutions for the wider and more plentiful distribution of whole blood and plasma to the people of California.

III. DEFINITION AND VALUE OF BLOOD BANKS

Blood banks are the facilities for the procurement, storage, and distribution of normal whole blood and plasma for the purpose of transfusion. In the field of medicine the use of these products is known as replacement therapy. The indications or requirements for these materials are listed in Table I below:

Table I

Human Whole Blood is used in :

- (1) Hemorrhage and shock
- (2) Blood destruction
- (3) Preparatory to and after operations
- (4) Certain infectious diseases

Human Plasma is used in :

- (1) Traumatic shock
- (2) Burns
- (3) Hypoproteinemia
- (4) Preparatory to blood transfusion

Under certain special conditions in therapeutics the more refined fractions of human blood are preferred to whole blood and plasma. Attention is called to the fact that at present no animal or synthetic products can replace the use of human blood or plasma, although very extensive research in this field was carried on during the war.

All people can be divided into four groups in accordance with the type of blood which they have inherited. Two of these groups are represented in only 14 percent of the population. With few exceptions the transfusions of type-specific blood is important and desirable. Failure to match the donor and recipient not only by type but also to cross-match their two individual bloods may result in a severe reaction to the patient receiving the blood.

In addition every effort should be made to have donors who are free from transmissible disease, for when a person who is already quite ill has a transfusion reaction or another disease added to his condition, the results may well be fatal. In fact, the reaction of an improper blood alone may cause death.

More recently a further division of the population into two groups on the basis of the presence or absence in the blood of the "Rh" factor has required additional laboratory tests to avoid some transfusion reactions.

A blood bank simplifies and decreases many of the risks in these tests. All blood is drawn aseptically from donors who have been carefully screened for evidence of transmissible disease, especially malaria, jaundice, and undulant fever. Their blood is preserved in a special solution under refrigeration until ready for use. Before the blood is released, properly trained technicians have performed many tests on it to obtain the correct type and for the presence of syphilis. Hence, if a patient is suddenly brought into a hospital and an immediate transfusion is required, blood plasma is usually started and the patient is typed for a transfusion. Without having to search for relatives, friends, or volunteer donors, a bottle of blood is ordered by type from the bank. Upon its arrival a short test to cross-match the two bloods is made. In most urban areas whole blood is flowing into the patient's veins in less than an hour after the order. Where no bank is available, in contrast, the long search for a donor of a rare type, the necessity of bleeding the donor in surgery, the disruption of the hospital and laboratory routine while all the preliminary tests are hurriedly run is the difference between the use of a horse and buggy and the modern automobile. And the analogy is more appropriate, if the lack of transportation in some parts of the State is considered, for the very remote regions cannot enjoy this modern service yet. Air transportation, however, may make many of those areas available for such benefits in the future. Until that time arrives the most practical bank in rural areas is the so-called "walking blood bank." Under this plan all adults are typed and educated to the life-saving importance of blood donations. All hospitals in the area have a master list of the potential donors and can call upon one or more as the circumstances require.

Blood banks have many similarities to regular monetary banks, in that depositors are required first before loans can be made from the capital reserves. Similarly the borrowers must repay the bank, if other loans and deposits are to be continued. A variety of personnel and policies are necessary to safeguard the bank. One great difference between the two types of banks remains because the community blood bank is a non-profit institution, although initial funds and service charges are required to begin and maintain the blood bank.

The essential principle in a blood bank is that beneficiaries repay loans through a service charge and with a similar amount of blood from

relatives, friends, or other sources of donors. Even though a recipient of blood may refund his debt in the form of blood, there are certain unavoidable losses which prevent an even balance from accruing in the bank's accounts. Therefore some supplemental contributions of blood must be obtained in order to keep the bank solvent. There are in general three ways to meet this need: (1.) Volunteer donors from the community are a part of the bank's program; (2.) Additional replacement donors are requested from each recipient; (3.) The bank must purchase blood from professional donors. Each of these methods have one or more problems connected to it, but the first has less objections than the other two solutions. This preferable method, however, entails the organization of people who are not the immediate beneficiaries of the bank and who must regard their contributions as a form of future insurance.

A second factor in the essential operation of a blood bank is the cost of special equipment and the personnel to operate it. During the war a scarcity of material forced banks to use substitutes or to compromise on standards of safety in order to operate. Today the physical plan can be standardized. There is an initial installation cost at the start and a continuing operating charge. Technical personnel are still insufficient in number, are variable in their proficiency and training, and will require a recruitment program, if the present volume of blood is to be expanded. Recent additions to the regulations of the Biologics Act will require approval and licensure by the Division of Laboratories of the State Department of Public Health of all banks in the future.

Most blood banks began as "centers" for the manufacture of human blood plasma, which is the fluid blood from which the red cells have been removed. The difficulties in producing a sterile product, the extra necessary precautions, and the shortage of trained personnel have all contributed to the low volume of plasma which is now being processed. The distribution by the American Red Cross of dried plasma, which was surplus from the armed forces, to the people through the State and local Health Departments has lightened the demand on the banks for this product.

The estimated supply of this free plasma is expected to meet the needs of the State until 1948. The present production of plasma from blood banks and commercial drug companies is not sufficient to fill the gap when Red Cross plasma is no longer available. Hence the stimulation for an increased processing of plasma will be a necessary part of the program.

Albumin, gamma globulin, fibrin, thrombin, and fibrin foam are among the useful extractions from blood which can be made at present. Two laboratories of State Health Departments (Massachusetts and Michigan) have begun to process these various fractions for distribution to their citizens. Since one of these materials, gamma immune globulin, has both active and potential applications in the field of public health, blood banks should cooperate in a plan to obtain a supply of this valuable agent as a by-product of their activities.

IV. RESULTS OF A SURVEY BY QUESTIONNAIRE AND DIRECT INSPECTION OF BLOOD BANKS IN CALIFORNIA

(A) A questionnaire was mailed to all hospitals in the State. The returns were fairly evenly distributed throughout the State in proportion to the population densities, and over 50 percent of the hospital beds are represented in the replies.

Table II below gives the opinions of 193 hospitals in California on the desirability of a state-wide coordinated program for the procurement and distribution of whole blood and plasma.

(B) In order to further clarify the status of blood banks in California, a detailed report of the information obtained from a recent survey is now appended:

Of the 28 blood banks in the State, 11 are located north of a horizontal line through Fresno, and 17 are south of this area. (Map I.) The 11 northern banks could serve a potential population of 2,800,000 people, which represents approximately 32 percent of the total population (1945 estimate). The 17 southern banks could serve a potential population of 4,250,000 people, or approximately 48 percent of the whole. Hence together the 28 banks might conceivably cover the needs for the whole blood of 80 percent of the population (see Map II), if they were all community blood banks.

Table II

Opinions of 193 Hospitals on the Desirability of a State-wide Coordinated Program for the Procurement and Distribution of Whole Blood and Plasma *

A

Opinions	Hospitals with blood banks		Hospitals cooperating with blood banks		Other hospitals		All hospitals reporting	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent
In favor of program-----	9	48	23	43	78	64	110	57
Undecided -----	5	26	21	40	31	26	57	29
Not in favor of program--	5	26	9	17	12	10	26	14
Total answering-----	19	100	53	100	121	100	193	100

B. Number of Beds Represented in Above Table

Opinions	Hospital blood banks		Cooperating hospitals		Other hospitals		All hospitals reporting	
	Beds	Percent	Beds	Percent	Beds	Percent	Beds	Percent
In favor of program-----	3,105	49.4	1,078	23.4	8,456	76.2	12,639	57.5
Undecided -----	1,201	19.1	2,501	54.3	1,862	16.8	5,564	25.3
Not in favor of program--	1,976	31.5	1,030	22.3	775	7.0	3,781	17.2
Total answering-----	6,282	100.0	4,609	100.0	11,093	100.0	21,984	100.0

* Tables compiled on the basis of the survey alone—November 20, 1946.

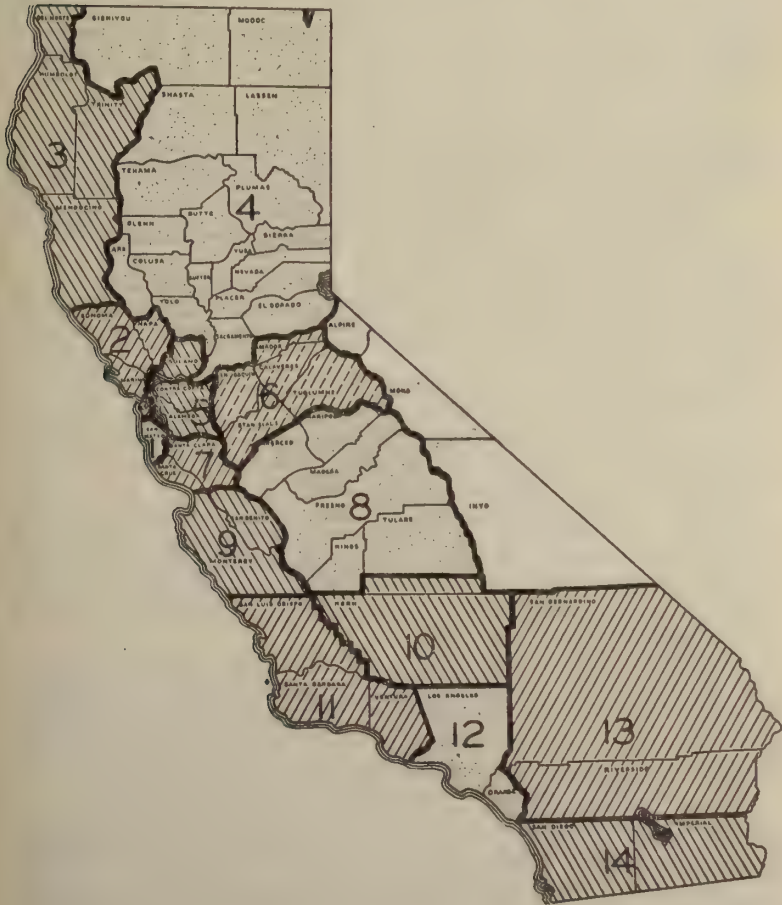
Map 1

Location of 28 Blood Banks in California in 1926



Map II

Fourteen Recommended Areas of Service for Community Blood Banks



Stated in different terms the present banks distributed around 61,000 units of whole blood in 1945 (each unit is equal to 500 cc. of blood). This amount will be considerably increased this year on the basis of present information. Eighty-four hospitals received blood from these 28 banks. They contained 17,559 general beds which is somewhat under 50 percent of the total general hospital beds in the State. The average number of units of whole blood per bed per year for these 84 hospitals was 3.5 units on this basis. The 11 northern banks served 9,469 of these beds with 39,987 units of blood, or 4.2 units per bed per year as an average. The 17 southern banks furnished 21,258 units of the total blood to 8,090 beds which is an average of 2.6 units per bed per year.

As far as the blood banks are concerned we might conclude that 65 percent of their blood goes to a potential 32 percent of the population in Northern California, whereas only 35 percent of their blood is available to a potential 48 percent of the population in Southern California.

The spontaneous development of blood banks has resulted in three distinct types, which for convenience are labeled community, county hospital, and hospital-laboratory groups.

The community banks are sponsored or jointly controlled by county medical societies. They have rather uniform service charges for whole blood, and they serve hospitals either within a city or within a geographical area.

The county banks are located in various county hospitals in the State. Blood is supplied free of charge to patients in these hospitals and is loaned to other institutions only in an emergency. The cost of these services is provided for in the budget of the county hospitals. The standards are not as rigid as in the first group.

Hospital-laboratory banks comprise one-half of all the banks in this State. They are private or semiprivate enterprises whose charges and standards are variable. Cooperation with other hospitals is fraught with economic pitfalls for this group, and as a result their services are apt to be confined to the patients in a single institution, where some control over replacements can be exercised.

Certain conclusions in respect to the functions of these three categories of blood banks may be made from the survey data (see Table I, Appendix). The volume of whole blood delivered by community blood banks is equal to or greater than the other two groups. Hence five blood banks in the State are now equivalent to 23 other ones, and with one exception, they are located in a less populous area of the State.

Community blood banks serve twice as many hospitals in their areas than the others, and the ratio is six to one if only those hospitals which are located outside the blood banks are included.

Community blood banks have a uniform replacement requirement of one pint of blood for one pint of blood withdrawn, whereas fifty percent (50%) of the others demand a ratio of two replacements for one withdrawal. This latter policy places a heavy obligation upon those patients who are unfortunate enough to require several transfusions.

All blood banks approach a certain standard of operation so that the donor of the blood may be protected, a sterile and adequate product is produced, and the recipient is safeguarded to the extent that modern scientific knowledge will allow. The present status, nevertheless, of the 28 blood banks is a variable picture throughout the State. Tables I to

VIII in the appendix give a detailed summary of the recent survey of these blood banks. A shorter analysis of this data is as follows:

Only five of the blood banks have complete and carefully printed standards by which donors are screened. As a result of this policy *in some blood banks* age limits are not strictly enforced; donors who have had malaria in the past are accepted; people with high blood pressure are bled without any knowledge of the condition; anemic persons can donate because of the failure in one-third of the banks to make a hemoglobin determination; and inability to know the correct temperature of the donor in over 80 percent of the banks may permit people with acute infections to be bled.

Without being too critical of the various types of equipment, bottles, and solutions that are now in use, the admission of such heterogeneous groups into a state-wide system of integrated banks would be difficult. Not all of the equipment allows for a closed system in processing the blood and thereby increases the risk of bacterial contamination.

The number of days that blood may be stored is a function of the solution with which it is mixed, the storage temperature, and the demand for its use. A third of the banks did not know the temperature of their ice box for lack of a thermometer. Less than a fourth of the banks possessed alarm systems to warn them, if freezing temperatures were obtained. Blood which has frozen and then thawed is a dangerous product. The presence of materials other than blood in the refrigerator is not in accordance with accepted principles.

The laboratory tests by which a donor's blood is grouped are very important procedures. A considerable number of hematologists agree that the test tube method and centrifuge technique is preferable. There is room for closer agreement among laboratories on these techniques. More recently the knowledge concerning the "Rh" groupings in the population has made transfusion a safer operation, particularly in women who have borne children. Twenty-four of the banks are equipped to perform these tests, but only 19 banks perform them routinely. Moreover, it is known that many hospitals which borrow blood from these banks are not prepared to do this test on the recipients. The difficulty in procuring potent sera and the lack of uniform agreement as to the most satisfactory methods for such typing have acted as deterrents to the universal adoption of the test.

At present not all the banks are observing the standards which the regulations of the Biologic Act require to rule out syphilis.

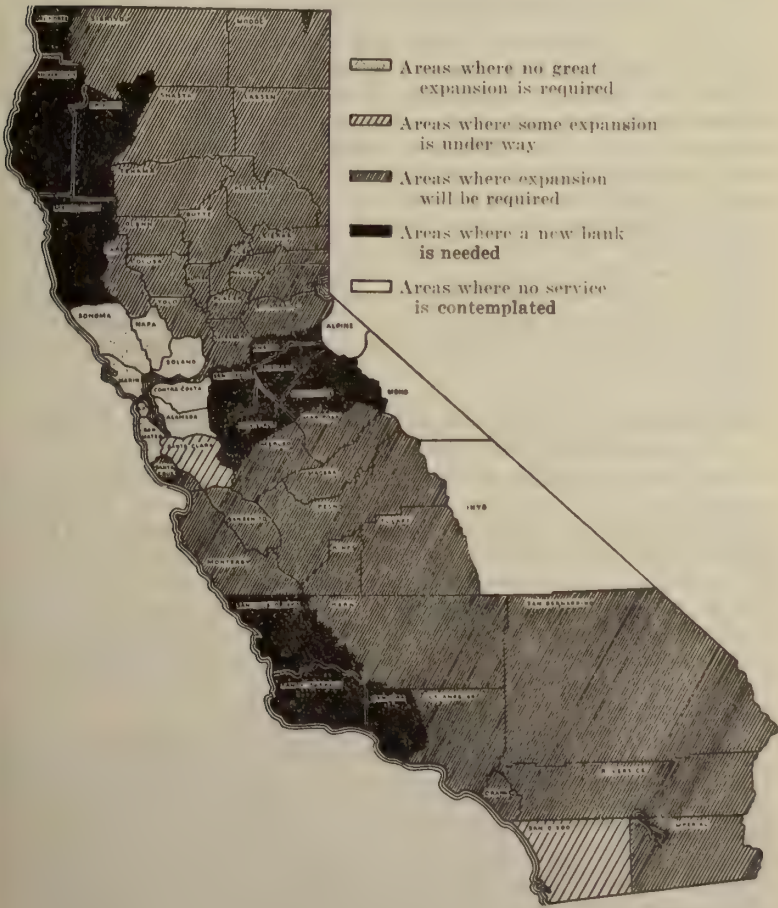
The cross-matching of a blood which is to be used in a transfusion requires careful techniques and judgment. The element of time during which the bloods must remain mixed differs in various tests, but some banks are not conforming to the accepted standards for each of these several methods.

The practice of filtering blood in the open air through layers of fine gauze before a transfusion is questionable in view of the available apparatus which allows for a closed system.

Less than one-half of the banks are now processing plasma, and the four community banks together produce as much as seven other banks. Since commercial manufacturers are required to meet rigid standards, it is only fair that the blood banks should adhere to the same

Map IV

The Effect of the Proposed Plan for Community Blood Banks
on the Various Areas in the State



rules and regulations which are set up for the protection of the public. Because of the machinery necessary to make dried plasma only two banks are equipped to do this job. Preference for the liquid form of plasma is increasing, however, because it can be used immediately.

At present a centralized plant with specialized machinery is required to make the blood fractions, and an individual bank would afford to do this type of work.

V. PROGRAM FOR BLOOD BANKS AND PLASMA IN OTHER STATES

There are nine states which have definitive plasma and/or whole blood programs, and 11 others are in various stages of discussion on the subject (see Table IX Appendix). Five of this first group, New York, Massachusetts, Michigan, Iowa, and North Dakota have developed rather well-known operations. With the exception of Iowa, they have begun with the procurement and processing of plasma and/or fractions and expect to add whole blood as a final item of service. In Iowa there are regional blood banks under the control of the University Hospital, East Massachusetts and Michigan have incorporated the Red Cross in their donor procurement plans, but the control lies in the Division of Laboratories. New York and Michigan both have programs based essentially on their rural areas, where the donor response is known to exceed that in the cities. No states have a complete blood bank program in operation as yet.

VI. PROPOSED PLANS FOR A COORDINATED STATE-WIDE PROGRAM OF BLOOD AND PLASMA BANKS IN CALIFORNIA

Map III and Table X (appendix) show the percentage of general hospital beds in the various counties of the State that are now served by blood banks. And Map IV summarizes the 14 proposed areas of the State where donor banks or new facilities are needed. A close analysis of the situation would show that many general problems must be solved before such a proposed coverage could exist. The chief hurdles are involved in the expansion of some of our present banks, reconstruction and financing of others for a community type of bank, integration of the various communities and hospitals within an area, and the revision of standards and techniques in many of the banks.

Although each area will require individual planning to have a truly community bank, certain basic factors should be common to all. The licensing and the enforcement of the regulations for blood banks will be conducive to a uniform standard of operation. Furthermore, the State Department of Public Health will furnish for a limited period from the Division of Laboratories a technician of special qualifications to aid in the establishment of careful methods of operation in any area that requests such help. Adequate initial financing and continued support either through service charges or local subsidies is essential. This monetary fund should be raised within the local area, if possible, but where some difficulty arises the Department of Public Health should be able to render aid in the form of equipment and material up to one-half of the necessary cost or not to exceed a maximum of \$10,000 per bank in any one year.

Proper direction of the blood bank by local medical organizations is preferable, although in determining policies other than those of a

technical nature, representation from civic and private agencies should be a factor. The State Department of Public Health will encourage and act as advisor in the organization and establishment of these various community blood banks.

The location of the blood bank outside and separate from any one hospital in the area allows a wider distribution of blood. Table XI. (appendix), shows the potential limit in each area. If the standards of the bank are high and the representation is broad, a true community enterprise can be built. Since the hospitals are the main customers of a bank, their cooperation and representation in procurement policies of the blood bank is an important objective. The State Department of Public Health will aid in the coordination between these various groups and assist in determining their needs for blood.

Earlier in the report mention was made of the procurement of blood for the bank. Most experts agree that those patients who require blood from the bank should repay with blood from friends, relatives, or professional donors, if it is possible. On the other hand there is a need to replace blood which has been loaned to indigent, friendless patients, and blood that has been made into plasma. Thus some sort of community cooperation is necessary to supplement the usual sources. The Department of Public Health proposes to loan a specialist in health education to assist the various areas in this very important field of organization. The California Medical Association is appointing a committee from its members who live in the various areas and are interested in this field to act as guides in the local program. They will also assist with any public relations work or necessary publicity in connection with the local bank. Encouragement in the proper use of the blood bank and its products by the local physicians and hospitals will be a further objective.

The moderate size bank which furnishes 300 to 500 units per month will require a personnel of approximately eight persons in the following categories:

- 1 Part-time physician
- 1 Supervising technician
- 1 Medical technician
- 2 Nurses

- 1 Senior stenographer
- 1 Intermediate stenographer and clerk
- 1 Laboratory helper

Approximately \$8,000 for fixed equipment will be needed. Rent and expendable materials will amount to another \$8,000. Salaries approach \$20,000 so that the total costs will be around \$36,000 for the first year. At the maximum production the cost of 6,000 units of blood will require \$6 per bottle as the service charge. To start the bank between \$15,000 to \$20,000 will have to be raised locally for fixed equipment, salaries, and rent. Until a complete program is under way the initial service charge should be slightly higher than the figure presented.

The present banks will probably continue to serve their respective hospitals, if they conform to licensing standards. In some cases efforts to convert the present blood bank to a community one should be made. Rarely will two or three blood banks combine to serve as the new nucleus. Since some of the present equipment in banks is obsolete, care must be exercised in any reconversion project about the use of these materials. In

order to provide whole blood whenever needed throughout the State will cost approximately \$800,000. An additional \$200,000 will be needed to provide plasma. These figures are on a basis of free donation of blood, and therefore represent only the bleeding, processing, and handling costs of the blood banks. Approximately \$400,000 is now being expended for providing less than one-half the blood which is needed for a state-wide coverage.

The distribution of blood in the proposed areas will be a difficult problem, but the use of common carriers, voluntary organizations, such as the American Red Cross, and perhaps the California Highway Patrol in emergencies, should allow a satisfactory system to be evolved.

Closely related to the procurement and distribution of blood is the problem of human plasma. Blood banks will be encouraged to manufacture their own from out-dated blood, but centralization of the processing is cheaper, safer, and results in a more uniform product. Thus some special arrangements for the sterility tests and hemoglobin determinations to be performed by a larger bank, the laboratories of the Department of Public Health, or by contact with a commercial manufacturer are probably more efficient. Special drives in the areas to collect blood for processing into the blood fractions and some plasma are preferable in view of the cheaper rates for preparing large lots of these materials. All products would be returned to the individual areas at cost, and the State Department of Public Health would only act as the facilitator of the operation by signing contracts with the commercial manufacturers. In times of disaster the State Department of Public Health might be empowered to move these products with the consent of the bank. In order that this program may be begun, it is recommended that the following personnel be added to the staff of the department:

1 Medical officer
1 Supervising blood bank
technician

1 Consultant in community organization
and health education
1 Intermediate stenographer and clerk

The salaries of this personnel together with a possible reserve fund for subsidies to some banks which have difficulties in reconversion to a community bank or to communities unable to raise sufficient funds for a new bank, the sum of \$75,000 will be required for the first year.

For the over all integration and smooth operation of this program the appointment of a permanent Advisory Committee on Blood Banks by the State Board of Health is proposed. The members of the committee will be chosen from representatives of the blood banks, the California Medical Association, Association of California Hospitals, California Osteopathic Physician Association; and any other groups which may be necessary. Authorization for funds to pay the travel and necessary expenses of these members to meetings will be requested in any proposed legislation. The members are to be appointed for varying terms of office and are to elect a chairman each year. Meetings are to be held at least twice each year and whenever other sessions are required.

APPENDIX

Table I
General Summary of Blood Banks in California

Type of bank	No. of banks	No. of blood units	No. banks making plasma	No. of plasma units used ²	Replacement requirement	Median cost per unit	No. hospitals cooperating ⁴	No. of beds supplied ³	Units of blood per bed ³	Units of plasma per bed ³
Community -----	5	33,562 ¹ 28,762	4	3,700	3 (1:1) 2 (0:1)	\$7 50	54	7,126	4.9 ¹ 4.2	.55
County hospital -----	9	14,557	6	2,839	3 (1:1) 6 (2:1)		9	6,871	2.2	.44
Laboratory or hospital -----	14	13,126	2	972	9 (1:1) 5 (2:1)	15 00	21	3,562	4.3	.32
Total -----	28	61,245	12	7,511	15 (1:1) 11 (2:1) 2 (0:1)	7 50	84	17,559	3.8	.46

¹ Based on 1945 reports, Red Cross (1946 estimates) included.

² Estimated usage included, but not Red Cross or commercial plasma.

³ Does not include tuberculosis beds.

⁴ 1946 data.

Table II
Donor's Standards *

Type of bank	Bank possess written standards	Bank keeps card file	Bank keeps daily log	Strict age limits	Accept previous malaria donor	Accept hypertensives	Hemo-globin done	Blood pressure taken	Temperatures taken
Community banks (5)-----	3	yes-5	5	yes-5 no -0	no -5	yes-2 no -3	yes-4 no -1	yes-4 no -1	yes-3 no -2
County banks (9)-----	1	yes-7 no -2	9	yes-5 no -4	yes-5 no -4	yes-6 no -3	yes-4 no -5	yes-4 no -5	yes-1 no -8
Hospital and laboratory banks (13)---	1	yes-9 no -4	11	yes-4 no -9	yes-4 no -9	yes-12 no -1	yes-10 no -3	yes-6 no -7	yes-1 no -12

* Includes only 27 banks.

Table III
Bleeding Standards¹

Type of bank	Type of tubing ²	Use deter- genis	Capacity and type of bottle	Anti- coagulant solution used ³	Method of bleeding	Anes- thetic used	Prep. solu- tion
Community -----	Bank- 5	yes- 3	600 cc.- 4	120 cc.ACD- 2	Gravity- 3	Procaine- 5	Merthiolate- 4
		no - 2	Special- 1	70 cc.ACD- 1 Citrate- 2	Vacuum- 2	None- 0	Alcohol- 1
County hospital -----	Bank- 2 C.S.- 2 S.- 5	yes- 5	600 cc.- 5	120 cc.ACD- 3	Gravity- 1	Procaine- 8	Merthiolate- 5
		no - 4	1200 cc.- 2 Special- 2	500 cc.ACD- 2 Citrate- 4	Vacuum- 8	None- 1	Alcohol- 2 Iodine- 2
Laboratory and hospital -----	Bank- 9 C.S.- 2 S.- 2	yes- 5	600 cc.-12	120 cc.ACD- 4	Gravity- 2	Procaine-11	Merthiolate- 3
		no - 8	1200 cc.- 1	70 cc.ACD- 6 Citrate- 2 500 cc.ACD- 1	Vacuum-11	None- 2	Iodine- 9 Zephiran- 1
Totals -----	Bank-16 C.S.- 4 S.- 7	yes-13	600 cc.-21	ACD-19	Gravity- 6	Procaine-24	Merthiolate-12
		no -14	1200 cc.- 3 Special- 3	Citrate- 8	Vacuum-21	None- 3	Iodine-11 Alcohol- 3 Zephiran- 1

¹ Includes data for 27 banks only.

² C.S.—central supply, S.—surgery.

³ ACD—Alsever solution.

Table IV
Refrigeration Standards *

Type of banks	Maximum days storage	Type of thermometer	Possess alarm system	Special sleeves for untyped blood	Food and other products in box
Community	10 or less= 3	Recording = 3	yes= 2	yes= 4†	yes= 1
	14-21 = 2	Mercury = 2	no = 3		no = 4
County hospitals	10 or less= 3	Recording = 2	yes= 3	yes= 7	yes= 4
	14-21 = 6	Mercury = 4	no = 6	no = 2	no = 5
		None = 3			
Laboratory and hospital	10 or less= 1	Mercury = 5	yes= 2	yes=11	yes= 6
	14-21 = 9	Mechanical= 2	no =11	no = 2	no = 7
	21-30 = 3	None = 6			
Totals	10 or less= 7	Recording = 5	yes= 7	yes=22	yes=11
	14-21 =17	Mercury =11	no =20	no = 4	no =16
	21-30 = 3	Mechanical= 2			
		None = 9			

* Includes data for 27 banks.

† One bank does not type blood.

Table V
Typing Methods and Standards Used

Type of bank	Serum used ¹	Methods used ²	Temperature of mixtures ³	Time before reading	Method of reading ⁴
Community -----	O-4 C-1	Slide-4 Test Tube-2	Room-4	15 min.-1 30 min.-2 45 min.-1	Micro-3 Macro-1
County hospital..	O-3 C-6	Slide-8 Test Tube-2	Room-9 37° C.-1	5 min.-1 10 min.-2 15 min.-2 20 min.-2 30 min.-1 45 min.-1	Micro-6 Macro-3
Laboratory and hospital -----	O-5 C-8	Slide-10 Test Tube-6	Room-13 37° C.-1	5 min.-1 20 min.-2 30 min.-6 60 min.-3	Micro-12 Macro-1
Total -----	O-12 C-15	Slide-22 Test Tube-10	Room-26 37° C.-2	5 min.-2* 10 min.-2 15 min.-3 20 min.-4 30 min.-9 45 min.-2 60 min.-3	Micro-21 Macro-5

¹ O—Make their own. C—Commercial type.

² Some use both methods and temperatures.

³ Micro-Microscopic. Macro-Macroscopic.

* Centrifuge used also.

TABLE VI
"RH" Typing Standards*

Type of bank	"Rh" done	"Rh" routinely	Method ¹	Time of reading ²	Repeat negatives
Community -----5	(5)		Slide-0 Test tube-5 C.T.-0	60 min. = 4	Yes— 4 No— 0
County hospital -----7	(3)		Slide-1 Test tube-7 C.T.-1	60 min. = 1 45 min. = 2 40 min. = 1 30 min. = 3	Yes— 7 No— 0
Laboratory and -----12	(11)		Slide-2 Test tube-8 C.T.-5	60 min. = 6 45 min. = 3 30 min. = 3 less 30 min. = 1	Yes—11 No— 2
Total -----24	19		Slide-3 Test tube-20 C.T. = 6	60 min. =11 45 min. = 5 30 min. = 6 less 30 min. = 1	Yes—22 No— 2

* Based on 24 banks.

¹ C.T.—Capillary tube. Some used two methods.

² Majority used 37 degree C. temperature.

TABLE VII
Cross-Matching Standards*

Type of bank	Technique used ¹	Temperature used ²	Time before reading ³	Type of reading
Community	Slide— 1 Test tube— 0	Room— 1	30 min.— 1	Micro.— 0 Macro.— 1
County hospital	Slide— 7 Test tube— 3	Room— 8 37° C— 1	15 min.— 1 20 min.— 1 30 min.— 4 45 min.— 2	Micro.— 7 Macro.— 1
Laboratory and hospital	Slide— 8 Test tube— 8	Room—11 37° C— 5	5 min.— 1 15 min.— 1 20 min.— 1 30 min.— 6 60 min.— 4	Micro.—13 Macro.— 0
Totals	Slide—16 Test tube—11	Room—20 37° C— 6	5 min.— 1 15 min.— 2 20 min.— 2 30 min.—11 45 min.— 2 60 min.— 4	Micro.—20 Macro.— 2

* Includes data from 22 hospital banks.

¹ Some banks use two methods.

² Some prefer both temperatures.

³ Centrifuge used for five minute readings.

Table VIII
Plasma Standards *

	<i>Banks</i>
Number of banks making plasma.....	12
Perform cultures on both pools and final containers.....	8
Perform cultures on pool only.....	4
Perform cultures at temperatures, room and 37° C.....	7
Perform cultures at one temperature only.....	5
Use preservatives in the pool.....	10
Do not use preservatives in the pool.....	2
Make liquid plasma.....	4
Make frozen plasma.....	9
Make dried plasma.....	2

* Some banks made more than one form of plasma.

Table IX
States With Blood Banks or Plasma Programs

- | | |
|----------------------------|------------------|
| 1. New York (plasma blood) | 6. Massachusetts |
| 2. Vermont (plasma) | 7. Texas |
| 3. Arkansas | 8. Utah |
| 4. Michigan (plasma) | 9. Iowa |
| 5. North Dakota (plasma) | |

States in Process of Starting a Program

- | | |
|----------------|----------------|
| 1. Connecticut | 7. Montana |
| 2. New Jersey | 8. Oklahoma |
| 3. Kentucky | 9. Wisconsin |
| 4. Minnesota | 10. Arizona |
| 5. Missouri | 11. Washington |
| 6. California | |

Table X

Percent of Hospital Beds Served by Blood Banks in Each County in 1946

<i>County</i>	<i>Beds served</i>	<i>Total beds</i>	<i>Percent of beds served</i>
Alameda	1,941	1,967	98.7
Alpine	—	—	—
Amador	0	—	0
Butte	0	112	0
Calaveras	0	12	0
Colusa	0	42	0
Contra Costa	386	461	83.7
Del Norte	0	24	0
El Dorado	0	86	0
Fresno	445	948	46.9
Glenn	0	45	0
Humboldt	0	440	0
Imperial	0	156	0
Inyo	—	—	—
Kern	543	921	59.0
Kings	0	249	0
Lake	0	26	0
Lassen	0	80	0
Los Angeles	6,456	12,618	51.2
Madera	0	162	0
Marin	137	137	100.0
Mariposa	0	12	0
Mendocino	0	190	0
Merced	0	287	0
Modoc	—	—	—
Mono	—	—	—
Monterey	162	376	43.1
Napa	0	268	0
Nevada	0	167	0
Orange	0	679	0
Placer	0	171	0
Plumas	0	93	0
Riverside	343	600	57.2
Sacramento	297	981	30.3
San Benito	0	56	0
San Bernardino	241	850	28.4
San Diego	507	1,385	36.6
San Francisco	4,507	4,507	100.0
San Joaquin	0	975	0
San Luis Obispo	0	117	0
San Mateo	335	335	100.0
Santa Barbara	0	564	0
Santa Clara	945	955	99.0
Santa Cruz	46	283	16.3
Shasta	0	111	0
Sierra	0	17	0
Siskiyou	—	—	—
Solano	60	444	13.5
Sonoma	0	521	0
Stanislaus	208	466	44.6
Sutter	0	70	0
Tehama	0	114	0
Trinity	0	25	0
Tulare	0	284	0
Tuolumne	0	96	0
Ventura	0	348	0
Yolo	0	170	0
Yuba	0	130	0
California	17,559	35,133	50.0

Table XI

Distribution and Estimated Whole Blood Needs of 36,717 Hospital Beds, Exclusive of Beds for Tuberculosis, Mental, Convalescent and Other Chronic Patients, in 14 Areas of California, October 31, 1946

Area	Total beds	Tubercu- Total beds, Potential units of blood losis tubercu- three four beds losis beds per bed per bed			
	(1)	(2)	(3)	(4)	(5)
Alameda -----	2,972	100	2,872	8,616	11,488
Sacramento -----	2,462	47	2,415	7,245	9,660
Humboldt -----	683	4	679	2,037	2,716
San Joaquin -----	1,610	61	1,549	4,647	6,196
Fresno -----	2,136	212	1,924	5,772	7,696
Kern -----	971	32	939	2,817	3,756
Santa Barbara -----	1,276	247	1,029	3,087	4,116
Los Angeles -----	13,702	405	13,297	39,891	53,188
San Bernardino -----	1,635	185	1,450	4,350	5,800
San Diego -----	1,755	214	1,541	4,623	6,164
San Francisco -----	6,030	597	5,433	16,299	21,732
San Mateo -----	575	75	500	1,500	2,000
Santa Clara -----	1,201	128	1,073	3,219	4,292
Monterey -----	500	68	432	1,296	1,728
Totals for Areas Listed----	37,508	2,375	35,133	105,399	140,532

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator Rich, ordered printed in the Journal:

LEGISLATIVE BUDGET COMMITTEE, CALIFORNIA LEGISLATURE

CAPITOL, SACRAMENTO, CALIFORNIA, January 27, 1947

Honorable Goodwin J. Knight, President

and Members of the State Senate

Senate Chamber, State Capitol, Sacramento, California

GENTLEMEN: The Joint Legislative Budget Committee wishes to call to the attention of the Senate a matter which it encountered and made inquiry into in the course of its investigation of the financial matters of the State. The committee did not feel this matter was a part of its regular purview and believed it should be referred to the regular standing committee of this session on Social Welfare.

In the course of its regular studies and investigation, the Legislative Budget Committee, through its Legislative Auditor, reviewed amongst other departments the operation of the *Department of Employment*. The purposes of this study were to ascertain if the funds spent by this department were yielding the largest possible return or if any economies could be introduced in the interest of the State. In the course of this investigation other abuses were encountered in the administration of the Employment Stabilization Act, and many complaints on the same were received from the general public. The Budget Committee, finding that there was no interim committee to look further into this matter, concluded to make a partial investigation wherein it involved the expenditure of state funds. In connection with the abuses that were encountered, the committee concluded that the Legislative Auditor should make a review of them and that the Budget Committee call this to the attention of the Senate and suggest the matter be referred to the regular Committee on Social Welfare handling this subject.

The files of the Budget Committee contain a great deal of information on the administration of the Department of Employment, the abuses that were encountered, and many complaints from employers and taxpayers, together with specific recommendations for remedy. These files will be made available for the regular committee if it desires them.

In addition to this, we have had the Legislative Auditor summarize the general situation and the complained of abuses.

First of all, let me say that we found practically every employer and everyone who has had experience with the Stabilization Act now believe in the general principle of the act, but they believe it should be for the stabilization of employment and that it should be so administered. They in general now claim the administration is such that almost anyone can get on the unemployment relief roll, and instead of stabilizing employment it is frequently used to create unemployment. This they point out must be true, for a very large number of persons are drawing unemployment benefits. At the same time there is a pronounced shortage in labor for every skilled profession and for a great many unskilled workers at the highest wages ever paid in the history of the United States.

Secondly, the legislative action suggested by the various persons cover the following:

(1) An act to tighten up the administration in general so that chiselers will be eliminated.

(2) A definition of what is suitable employment so that if there are jobs available which the applicant can satisfactorily fill that are not dangerous to health, he should be required to accept the same or not be entitled to unemployment insurance benefits.

(3) A provision actually making some penalty other than just a waiting period when a person violates the provisions of the act in an endeavor to secure unemployment benefits.

(4) An act which will prevent seasonal workers from using unemployment benefits merely to increase their income.

(5) An act which would definitely prohibit the payment of unemployment insurance benefits when an employee actually withdraws himself from the labor market.

(6) An act definitely requiring the Department of Employment to collect refunds where overpayments have been made and holding the commission responsible for such overpayments and requiring it to make specific determination as to whether undue hardship would be caused by requiring a refund.

(7) An act definitely spelling out when an employee definitely becomes ineligible for benefits.

(8) An act requiring that the applicant shall actively seek employment and it will not suffice merely to register with the State Employment Office.

(9) An act to reduce the amount of the tax levied on employers to just what is necessary to pay benefits and keep the reserve fund actuarially sound. (Mr. Mugford of the Employment Stabilization Commission indicated that this was possible.)

In addition to active legislation, our committee strongly recommends that steps be taken to safeguard the benefit checks which are drawn in advance and which are held in every branch office for the payment of benefits. The present method of handling appears to be hazardous. There is considerable danger of these instruments being lost or stolen. They can readily be made negotiable by entering the date and any name from a long list of claim examiners.

Respectfully yours,

W. P. RICH

Chairman, Joint Legislative Budget Committee

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 403

Senator Swing moved that Assembly Bill No. 403 be withdrawn from Committee on Governmental Efficiency, and referred to Committee on Finance.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, January 29, 1947

MR. PRESIDENT: The Committee on Local Government, to which was referred: Assembly Bill No. 962

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 173—An act to amend Section 252 of the Unemployment Insurance Act, relating to claims for unemployment compensation disability benefits, declaring the urgency thereof to take effect immediately.

Bill read third time, and presented by Senator Tenney.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Tenney, Ward, Weybret, and Williams—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Slater, Tenney, Ward, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER

Assembly Bill No. 360—An act making an appropriation for the support of child care centers, and declaring the urgency thereof, to take effect immediately.

Motion to Reconsider Withdrawn

Senator Desmond withdrew his motion to reconsider the vote whereby Assembly Bill No. 360 was passed.

Assembly Bill No. 360 ordered transmitted to the Assembly.

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator McCormack, ordered printed in the Journal:

Every newspaper in California, some 500 daily and weekly publications, currently is publishing a large display advertisement underwritten and presumably paid for by the Western Oil and Gas Association. It is captioned "No Need to Increase Your State Gasoline Tax!"

In the advertisement are figures which seek to prove their further declaration that the "State has enough money to build new roads without increased taxes!" They conclude with the statement, "There is no apparent reason why the state gasoline tax should be doubled or even increased," and seek to show a surplus of \$35,000,000.

Their figures are ridiculously misleading and their implications are entirely false, and are based on inflated ideas of revenue.

The fact is, the Construction Fund of the State Highway Department will be under contract by June 30th of this year. All available construction moneys will be under contract by that date. This I have told you before and I stand by that statement.

I repeat, statements such as this advertisement are designed to mislead the public into believing it is not necessary to have additional funds in order to build much-needed new highways are utterly false.

The figures used in the advertisement are their estimate of revenues for the next four years. The fallacy is their inclusion, apparently, of all revenue now on the books, whether obligated by contract or not, and into this total they have added all moneys for cities, counties and State, and including about \$73,000,000 from local property tax sources. Of this latter, certainly, the State has no control. Presumably added also are \$50,000,000 from federal sources for the four-year period in question. Actually approved federal aid is \$17,140,000 and the State Highway Commission cannot spend money which merely is in anticipation of a continuation of national policy.

In other words, the oil and gas figures include money from every conceivable source. It is impossible to reconcile them with our own, *so far as the implications they leave with the general public*, and the absolutely incorrect conclusion that any surplus exists beyond that which will be under contract by June 30, 1947.

I previously have stated we need and can use \$75,000,000 a year for construction on the State Highway System. This construction feature alone would require an additional two-cent tax on motor fuel.

Recently the California Highway Commission approved its budget for the 1947-48 Fiscal Year. For highway and bridge construction, construction engineering and highway construction with convict labor, we had a total of \$22,961,000 to allocate. That left, in already agreed-upon postwar projects, approximately \$40,000,000 worth of work that must go over to the fiscal year starting July 1, 1948. This represents already planned and urgent work.

It is ridiculous to suppose that State Highway Commissioners and engineers would not immediately call for bids on this postponed program if funds from any possible sources were available. I am certain the Governor also would demand that this be done.

Let me summarize quickly some of the figures and estimates we previously have prepared. These are based, of course, on anticipated highway use and gasoline revenues but I am sure they are as accurate as it is humanly possible to project them.

Recently we gave you a revised 10-year State Highway System Deficiency Report, 1946 to 1956, which shows in some detail the highways in your own districts **which are considered by State Division of Highway engineers to be of top priority in a 10-year construction program.**

You have seen this report; you each know the need for every unit is now and not 10 years hence. You probably personally know that in many instances, due to high accident rates or traffic congestions, the conditions covered not only are critical but of

a highly urgent nature bordering on extreme emergency need. The total of this 10-year program, detailed county by county and substantiated by engineering data, calls for an expenditure of \$1,458,924,130.

What can we anticipate, from present income sources to meet this critical construction need? *Just \$28,001,000 a year!*

This tabulation, recently completed in the department, shows the revenue that will accrue over a 10-year period from present sources (Fiscal Years 1947-48 to 1956-57). It is as follows:

From the present two-cent gasoline tax (excluding the one-cent to counties) but including the one-half cent to the cities over which the State has some jurisdiction, total anticipated revenue for the 10 years of \$543,780,000.

From motor vehicle fees, \$63,574,000.

From used fuel tax (diesel), \$27,704,000.

From caravan fees, \$1,363,000.

From federal aid (moneys actually allocated), \$17,140,000.

This totals \$653,561,000 which represents, I repeat, the revenue that will accrue for state highway purposes from the present sources of income for the 10-year period.

Now, how will this be spent:

About two and three-quarters of a million dollars will go for administration each year, based on actual estimates of \$2,724,516 for the 1947-48 fiscal year. This item totals \$26,074,516 for the 10 years.

For maintenance and for buildings, plant, equipment, etc., \$159,520,000 (about \$16,000,000 a year) will be spent.

For the San Francisco-Oakland Bay Bridge, \$9,500,000.

Engineering and planning runs about two and a half million a year, a total of \$24,223,484.

For emergency repairs, contingency reserve, and miscellaneous items \$2,500,000 a year, a total of \$24,886,000.

From this, so far as state highway construction total is concerned, is deducted the one-half cent to the cities, an estimated \$135,945,000.

That leaves \$273,412,000, to which is added the return of the loan to the Bay Bridge for approaches, \$6,600,000, and there is anticipated *for construction for 10 years a total of only \$280,012,000, or \$28,001,200 a year* for highway construction. Based on our estimates, this is the most accurate figure I can give you.

Now, in conclusion, let me remind you that the oil industry, which is opposing proposed increases in gasoline taxes, has itself since August 1, 1946, increased the price to its consumers of one and one-half cents (one cent on that date and a half cent January 20, this year). Not one penny of this money goes to needed highway construction. This cent and a half represents a major part of the amount that is needed to make better and safer highways throughout California; a need none will deny after the years of legislative study backed by public demand for an adequate, safe, modern highway system.

ADJOURNMENT

At 11.20 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Thursday, January 30, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

NINETEENTH LEGISLATIVE DAY

TWENTY-FIFTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, January 30, 1947

The Senate met at 10 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jesspersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator McBride, due to illness.

Senator Ward, on motion of Senator McBride, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Dilworth and Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. William C. Evans of Riverside.

On request of Senator Mayo, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Al Brayer, Miss E. M. Ashton, and Miss Verna Taylor, all of Roseville.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

REPORT OF JOINT INTERIM COMMITTEE ON PACIFIC RELATIONS

SACRAMENTO, CALIFORNIA, January 29, 1947

*Honorable Goodwin J. Knight**President of the Senate of California**State Capitol, Sacramento, California*

DEAR MR. PRESIDENT: The Joint Interim Committee on Pacific Relations created by Assembly Concurrent Resolution No. 25, Chapter 131 of the Statutes of the Regular Session of the Fifty-sixth Legislature (1945), submits herewith its first and final report. The membership of the committee consisted of Senators Swing, Shelley, and Biggar; Assemblymen Lyon, Leonard, and Robertson. This joint committee, duly organized during the Fifty-sixth Session of the Legislature, elected the undersigned, Charles W. Lyon, as chairman thereof.

Three meetings were held during the legislative session, and communications were addressed to the following: The Honorable Mayor of the City and County of San Francisco, mayors of the cities located in the San Francisco Bay area, members of boards of supervisors, chambers of commerce, labor organizations, civic clubs, and others then interested in the establishing of a permanent home for the United Nations Conference in that locality. In these communications we offered the cooperation of the committee and its facilities and powers to assist those having charge of the activities.

It was apparently not necessary for your committee to perform any service, and although three meetings were held no expenses were incurred. We, therefore, wish to be discharged, and the appropriation of \$10,000 authorized by the above numbered chapter may be returned to the proper fund of the State.

Respectfully submitted.

CHARLES W. LYON, Chairman

President Pro Tempore of the Senate Presiding

At 10.06 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 30

Assembly Concurrent Resolution No. 38

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk**FIRST READING AND REFERENCE OF ASSEMBLY BILLS**

The following resolutions were read:

Assembly Concurrent Resolution No. 30—Relative to the purchase of aircraft for the Department of Education.

Referred to Committee on Education.

Assembly Concurrent Resolution No. 38—Relative to approving a certain amendment to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of November, 1946.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 38, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 38

Assembly Concurrent Resolution No. 38—Relative to approving a certain amendment to the charter of the City of Long Beach, State of

California, ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of November, 1946.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Busch, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Slater, Tenney, Watson, Weybret, and Williams—22.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 20

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 29

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 626

Assembly Bill No. 488

Assembly Bill No. 966

Assembly Bill No. 315

Assembly Bill No. 975

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 626—An act to amend Section 2270 of the Health and Safety Code, relating to mosquito abatement districts, declaring the urgency thereof to take effect immediately.

Referred to Committee on Public Health and Safety.

Assembly Bill No. 966—An act to amend Section 830 of the Agricultural Code, relating to the use of dates for by-products purposes, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 975—An act making an appropriation in augmentation of the appropriation in Item 231 of the Budget Act of 1945, for medical and physical care, hospitalization, appliances, and convalescent care for physically handicapped children, Department of Public Health, to take effect immediately.

Referred to Committee on Public Health and Safety.

Assembly Bill No. 488—An act to amend Section 105 of the Revenue and Taxation Code, and to add Section 105.1 to said code, relating to property taxes and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 315—An act to amend Section 1 of an act entitled "An act to suspend those provisions of Article XI, Section 5, of the Constitution relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately," approved January 24, 1945, relating to the compensation of county, township, and municipal officers, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Local Government.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 201

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to take up Senate Bill No. 201, at this time, for consideration of Assembly amendments.

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 201—An act to amend Sections 18540 and 18973 of the Government Code, relating to veterans and civil service credits for military service, and declaring the urgency thereof to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 201?

Amendment No. 1

On page 1, lines 18 and 19, of the printed bill, strike out "of veterans under the same conditions".

Amendment No. 2

On page 1, line 18, of said bill, before "widows", insert "their".

Amendment No. 3

On page 1, lines 4 and 5, of the printed bill, strike out "Revenue Marine Service", and insert "Coast Guard".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 201 by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Kraft, Mayo, McBride, O'Gara, Powers, Rich, Slater, Tenney, Watson, Weybret, and Williams—24.

NOES—None.

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 29, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 99

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 29, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 18 -Relative to approving that certain amendment to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on the fifth day of November, 1946;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-ninth day of January, 1947, at 2 p.m.

POWERS, Chairman

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, January 29, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Assembly Bill No. 455

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

BREED, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, January 29, 1947

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 144

Assembly Bill No. 134

Assembly Bill No. 135

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bills ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 29, 1947

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 10

Assembly Concurrent Resolution No. 33

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Joint Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, JANUARY 30, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Joint Resolution No. 14

Has had the same under consideration, and reports the back back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Joint Resolution No. 14—Relative to memorializing the Congress of the United States in relation to public shooting grounds.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 24, of the printed measure, strike out "joint control", and insert "cooperative management".

Amendment No. 2

On page 2, line 8, of said measure, strike out "jointly", and insert "in cooperation".

Amendments read, and adopted.

Resolution ordered printed, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, JANUARY 29, 1947

MR. PRESIDENT: The Committee on Rules has made the following appointments on Senate Interim Committees:

Senators Ward and O'Gara to serve as members of the Committee on Veterans Affairs (S.R. 150—Continued by S.R. 10, 1947) to fill the vacancies of former Senators Mixer and Biggar.

Senator Kraft to serve as a member of the Committee on Shoreline Development and Beach Erosion (S.R. 136—Continued by S.R. 26, 1947) to fill the vacancy of former Senator Fletcher.

Senator Williams to serve as a member of the Committee on State Training Schools for Boys and Girls (S.R. No. 144—Continued by S.R. 32, 1947) to fill the vacancy of former Senator Mixer.

Senator Dillinger to serve as a member of the Committee on Payment of Medical and Hospital Care (S.R. No. 131, S.R. 165—Continued by S.R. 14, 1947) to fill the vacancy of former Senator Shelley.

Senators Busch and Mayo to serve as members of the Committee on Forestry Study (S.R. 151—Continued by S.R. 33, 1947) to fill the vacancies of former Senators Biggar and Fletcher.

Senators Deuel, Donnelly and O'Gara to serve as members of the Committee on Postwar Construction Program (S.R. 121—Continued by S.R. 16, 1947) to fill the vacancies of former Senators Seawell, Mixer, and Shelley.

POWERS, Chairman

Senator Mayo Presiding

At 10:20 a.m., Senator Jesse M. Mayo of the Twenty-sixth District, presiding.

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator Cunningham, ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, JANUARY 28, 1947

To Honorable Goodwin J. Knight, Lieutenant Governor

and President of the Senate:

To Honorable Sam L. Collins, Speaker of the Assembly:

Assembly Bill 1400 (Chap. 1527) as passed the Senate and the Assembly in the 1945 Session of the Legislature and signed by Governor Earl Warren contained an

appropriation to pay for the California State Bell in the National Carillon at Valley Forge, Pennsylvania.

Acting under approval given by Governor Earl Warren the California-Nevada District delegation of Kiwanis International, en route to its international convention in Atlantic City, on June 9, 1946, stopped at Valley Forge and in formal ceremonies in the Washington Memorial Chapel at Valley Forge, presented and dedicated the California State Bell.

Believing that the Members of the Legislature would be interested in a report on the presentation and dedication of this bell, I am, for that purpose, furnishing you herewith a copy of my report as Past President of the California State Society, Sons of the American Revolution, and as Chairman of the Dedication Committee of the California-Nevada District of Kiwanis International. I especially call your attention to the inspiring dedication address of Benjamin H. Pratt, District Governor of the California-Nevada District of Kiwanis:

"The bells of our valley peal
Forth sweet and clear,
Reminding all people of truths
we hold dear;
'For God, Home and Country'
together they ring,
Proclaiming the freedom to which
we still cling."

In the presence of over ten thousand American patriots gathered at Valley Forge in commemoration of 150 years of American independence, the Star Spangled Banner National Peace Chime was dedicated July 4, 1926. Thirteen state bells, representing the original colonies, made up this first carillon.

Great as it was, the Star Spangled Banner National Peace Chime was inadequate for Valley Forge, where our Nation began and where the American people must be fully represented. It was intended only as the first step in a great musical tribute to the Nation and to those who at Valley Forge froze, starved, and suffered illness but kept faith and prepared for the victorious battle making possible this Nation. Back of the original chime was the ideal of a great national carillon of 49 bells, one for each state, and a national birthday bell. Forty-three of these bells have now been secured.

The state bells, outside of those for the 13 original colonies, were assigned in the order of the population of the state. To members of our Kiwanis delegation en route to the international convention in June, Governor Earl Warren gave the signal honor of making the formal presentation and dedication of the bell on behalf of California.

On Sunday, June 9, 267 Kiwanians and ladies from the California-Nevada District visited the historic shrine at Valley Forge, site of the winter encampment of General George Washington and his continental army between December 19, 1777, and June 19, 1778.

In the beautiful Washington Memorial Chapel, which President Wilson named the "Shrine of the American People", filled with memorials of our first great leader, special services were held for the Kiwanis delegation, followed by Governor Pratt's dedication of the California bell:

"Through the harmonious and beautiful music of this carillon, we are able to see more clearly back through the intervening ages, to appreciate vividly the suffering, the privations, the frustrations and the mistreatment by government of those few thousand intrepid resourceful continental soldiers, who here in the terrible winter at Valley Forge, either persisted with steadfast purpose or gave up their lives to secure the freedom of men in this Nation and all over the world.

"But we must understand that this spiritual power of Valley Forge comes not primarily from the record of the suffering of those continental soldiers. That tremendous spiritual power comes almost exclusively from the magnificent personality who here held those intrepid, highly individualistic, ill-disciplined continental soldiers true to their high purpose. For Washington was able to lead those soldiers effectively, spiritually, through disappointment, defeat and disaster, till, expanding into our victorious armies, those soldiers and Washington together secured victory in our desperate Revolutionary War.

"And Washington continued to lead his people, the armies and civil population alike, until almost single-handed he had devised, set into operation and firmly established through successful accomplishment, that unique government under which we and generations of our forefathers have enjoyed a greater degree of individual freedom in enterprise and opportunity than has been accorded under government to any other people.

"Then the essential integrity of Washington, the common honesty that determined his actions and his purpose, publicly as well as privately, compelled him to relinquish completely to worthy successors his personal control of that government, at just the proper time to make it forever a government of written instrument and not a government of popular personality. * * *

"So here and now we do formally dedicate this California bell to its high purpose, firm in the belief, confident in the conviction, that true to this bell's example, our State will always work zealously with all her sister states to secure the social advancement

and the political freedom of all men. We so dedicate this bell under the spell of Washington pervading this atmosphere of Valley Forge. Yet we are all fully conscious of the wisdom of Lincoln's glorification of Washington more than a century ago: 'This is the one hundred and tenth anniversary of the birthday of Washington. We are met to celebrate this day. Washington is the mightiest name of earth; long since mightiest in the cause of civil liberty. On this name no eulogy is expected. It could not be. To add brightness to the sun or glory to the name of Washington is alike impossible. Let none attempt it. In solemn awe pronounce the name and in its naked, deathless splendor leave it shining on.'"

Housed for the past 20 years in a temporary wooden structure behind the chapel, the Washington Memorial National Carillon, the first made in America by American bell-makers, fills the air of Valley Forge with the music of religion and patriotism. Familiar hymns and patriotic airs are played every hour from 10 in the morning until 5 in the evening, and at sunset the National Anthem fills hill and dale with its stirring strains.

October 1, 1941, the foundation of the long proposed bell tower for the carillon was laid, and work will proceed on the tower as soon as building restrictions are lifted. The tower will be dedicated to "Revolutionary patriots who established the American way of life and to the men and women of World Wars I and II who have preserved that precious heritage."

In the tower there will be a memorial roll of honor—a wainscoting of three series of metal plates on which names may be inscribed. The first series will record the Revolutionary patriots; the second series will contain names of men and women of World War I and II whose ancestors were Revolutionary soldiers; and the third series will give names of those serving in the two World Wars whose families came to this Country more recently. * * *

Valley Forge is an immortal symbol of the spirit which won independence for America and to infuse and perpetuate those principles for which the War of Independence was fought, no better example may be offered than the inspiring record of courage written in blood-stained snow amid icy winds on the hills of Valley Forge. That record will not soon lose its inspiration for those of our Kiwanis group assembled at Valley Forge in June.

"The bells of our valley must
never be stilled
While the hearts of her children
with courage are filled.
Our prayer to high heaven
forever shall be,
'Protect, oh Our Father,
this land of the free.'"

On behalf of those who have been interested in this worthy project, I express sincere thanks and appreciation to the California Legislature for its important and essential action which made the dedication of the bell possible.

Yours very truly,

ARTHUR L. SCOTT

Chief Assistant Secretary Cleve V. Taylor at the Desk

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 748: By Senator Rich—An act to amend Section 1126 and to add Sections 1127, 1128, and 1129 to the Labor Code, relating to collective bargaining.

Referred to Committee on Labor.

Senate Bill No. 749: By Senator Slater—An act to amend Section 11121 of the Elections Code, relating to recall elections.

Referred to Committee on Elections.

Senate Bill No. 750: By Senator Slater—An act to amend Section 852b of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the city manager form of government in cities of the sixth class.

Referred to Committee on Local Government.

Senate Bill No. 751: By Senator Weybret—An act to amend Section 6451 of the Revenue and Taxation Code, relating to returns and payments of sales and use taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 752: By Senator Weybret—An act to amend Section 6904 of Part 2 of Division 2 of the Revenue and Taxation Code, imposing a tax upon the sale, and use, storage or consumption of tangible personal property.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 753: By Senator Weybret—An act to amend Section 41.5 of the California Unemployment Insurance Act, relating to transfer of employers' reserve accounts.

Referred to Committee on Social Welfare.

Senate Bill No. 754: By Senator Cunningham—An act to amend Section 886 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to officers' interest in contracts made by them in their official capacity.

Referred to Committee on Local Government.

Senate Bill No. 755: By Senator Cunningham—An act to amend the title of, and Sections 1 to 6, inclusive, of "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, relating to removal of weeds and rubbish.

Referred to Committee on Agriculture.

Senate Bill No. 756: By Senator Dilworth—An act to add Section 422 to the Penal Code, relating to obstruction of free passage of persons and vehicles.

Referred to Committee on Transportation.

Senate Bill No. 757: By Senator Dilworth—An act to add Title 11-A to Part 1 of the Penal Code, relating to interference with freedom of movement of persons and vehicles.

Referred to Committee on Transportation.

Senate Bill No. 758: By Senator O'Gara—An act to amend Section 7377 of the Political Code, relating to salaries of superior judges in the City and County of San Francisco.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 759: By Senator O'Gara—An act to amend Section 67 of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of three additional superior court judges in and for the City and County of San Francisco.

and providing for their compensation, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 760: By Senator Brown—An act to amend Section 3941 of the Education Code, relating to the suspension of high school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 761: By Senator Kraft—An act to add Sections 930, 931, and 932 to the Labor Code, relating to involuntary membership in labor organizations.

Referred to Committee on Labor.

Senate Bill No. 762: By Senator Kraft—An act to add Section 2 to "An act granting certain tidelands and submerged lands of the State of California to the City of San Diego upon certain trusts and conditions," approved June 5, 1933 providing for the transfer to the City of San Diego of the State's interest in a lease for the construction, use and maintenance of a pier on said lands.

Referred to Committee on Natural Resources.

Senate Bill No. 763: By Senators Collier and Powers—An act to add Chapter 11B, comprising Sections 11518 to 11518.24, inclusive, to Part 2 of Division 2 of the Insurance Code, relating to medical and hospital service associations.

Referred to Committee on Public Health and Safety.

Senate Bill No. 764: By Senator Dillinger—An act to amend Sections 13674, 14304, 14375, 14379, 14441, 14445, 14474, 14524, 14606, 14680, 14681 of the Education Code, to add Sections 14376.1, 14376.2, 14376.3, 14376.4, 14449.2, and 14683 to said code, all relating to the State Teachers' Retirement System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 765: By Senator Watson—An act to amend Section 4891 of the Health and Safety Code, relating to sewer maintenance districts.

Referred to Committee on Public Health and Safety.

Senate Bill No. 766: By Senator Watson—An act to add Section 163 to the Revenue and Taxation Code, relating to the verification of property taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 767: By Senator Jespersen—An act to amend Section 19626 of the Business and Professions Code, relating to the California Polytechnic School.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 768: By Senator Jespersen—An act to amend Section 20651 of the Education Code, relating to the California Polytechnic School.

Referred to Committee on Education.

Senate Bill No. 769: By Senator Jespersen—An act to amend Section 9162 of the Education Code, relating to vocational education.

Referred to Committee on Education.

Senate Bill No. 770: By Senator Jespersen—An act making an appropriation for the support to the Vocational Education Fund.

Referred to Committee on Education.

Senate Bill No. 771: By Senator Jespersen—An act making an appropriation to the Vocational Education Fund for an apprenticeship training program, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 772: By Senators O'Gara and Tenney—An act to create a State Planning Commission and to prescribe its powers and duties.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 773: By Senator Crittenden—An act to add Section 1292 to the Military and Veterans Code, relating to certain lands of the State described in Chapter 891 of the Statutes of 1939, and the leasing thereof or of parts thereof or of interests therein to veterans' associations.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 774: By Senator Brown—An act to amend Section 6966 of the Public Resources Code, relating to payment of royalties to the State for extraction of minerals from public lands.

Referred to Committee on Natural Resources.

Senate Bill No. 775: By Senator Sutton—An act to add Section 14314 to the Education Code, relating to the relief of distressed school teachers, and making an appropriation therefor.

Referred to Committee on Education.

Senate Bill No. 776: By Senator Sutton—An act to add Section 459 to the Education Code, relating to the salaries of county superintendents of schools.

Referred to Committee on Education.

Senate Bill No. 777: By Senator Sutton—An act to amend Sections 70, 70.1, and 70.2 of the Streets and Highways Code, relating to the California Highway Commission.

Referred to Committee on Transportation.

Senate Bill No. 778: By Senator DeLap—An act adding Sections 31204 and 31205 to the Government Code, relating to retirement.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 779: By Senators O'Gara and Tenney—An act to provide state aid for housing facilities for veterans and servicemen and their families, and families of deceased persons who served in the armed forces, conferring certain powers on cities, counties, cities and counties, and local housing authorities in connection therewith, providing for the

operation and disposition of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 780: By Senator Hatfield—An act to add Section 1225 to the Government Code, providing for the retirement, with retirement salaries, of elective officers in the Executive Department of the State Government.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 781: By Senator Swing—An act to add Chapter 3 to Part 1 of Division 4 of the Fish and Game Code, relating to the conservation, restoration, and taking of fish and game, declaring a state policy in relation to the use of resources of the State in connection with wildlife revival and public recreational facilities, and to add a new section to the Water Code, relative to the appropriation of water.

Referred to Committee on Fish and Game.

Senate Bill No. 782: By Senator Salsman—An act to repeal Sections 24a, 120, 121, 122, 123, 123.1, 140, 141, and 142 of, to amend Section 124 of, and to add Sections 120, 120.1, 120.2, 120.3, 120.4, 120.5, 120.6, 120.7, 121, 121.1, 121.2, 121.3, 121.4, 121.5, 122, 122.1, 122.2, 122.3, 122.4, 122.5, 122.6, 122.7, 122.8, 123, 123.1, and 123.2, to the Bank Act, relating to the qualifications, appointment, term, compensation and duties of the Superintendent of Banks, the duties, employees, records, and expenses of the State Banking Department, and the collection and disposition of the State Banking Fund.

Referred to Committee on Financial Institutions.

Senate Bill No. 783: By Senators Salsman, Burns, Deuel, O'Gara, Kraft, Crittenden, and Jespersen—An act to repeal Article 10 of Chapter 2 of Division 10 of the Education Code and to add Article 10 to Chapter 2 of Division 10 of said code, relating to providing of housing and other facilities for students, faculty members, and employees of the state colleges.

Referred to Committee on Education.

Senate Bill No. 784: By Senators Salsman, Burns, Deuel, O'Gara, Kraft, Crittenden, and Jespersen—An act to repeal Article 10 of Chapter 2 of Division 10 of the Education Code, and to add Article 10 to Chapter 2 of Division 10 of said code, relating to providing of housing and other facilities for students, faculty members, and employees of the state colleges.

Referred to Committee on Education.

Senate Bill No. 785: By Senator Salsman—An act to add Chapter 4 to Division 10 of the Streets and Highways Code, relating to inter-city agreements limiting the power of vacation of public streets and highways.

Referred to Committee on Local Government.

Senate Bill No. 786: By Senator Salsman—An act to provide for agreements between towns, cities, or cities and counties, relating to opening and closing of roads, lanes, alleys, highways or streets.

Referred to Committee on Local Government.

Senate Bill No. 787: By Senator Salsman—An act to define escrow companies, to provide for their licensing, examination and regulation by the Commissioner of Corporations, to provide exemptions from and prescribe penalties for violations of this act.

Referred to Committee on Financial Institutions.

Senate Bill No. 788: By Senators Salsman, Jespersen, and Dillinger—An act to create and provide for a prepaid health service system for the people of the State of California, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 789: By Senator Carter—An act to repeal Sections 134 and 135 of the Fish and Game Code, relating to game refuges.

Referred to Committee on Fish and Game.

Senate Bill No. 790: By Senator Carter—An act to amend Section 534 of the Fish and Game Code, relating to obstructions in streams.

Referred to Committee on Fish and Game.

Senate Bill No. 791: By Senator Carter—An act to amend Section 525 of the Fish and Game Code, relating to obstructions.

Referred to Committee on Fish and Game.

Senate Bill No. 792: By Senator Carter—An act to amend Section 522.5 of the Fish and Game Code, relating to the construction of additional structures on dams to provide free passage of fish, and providing for the liability of the State for damages resulting from such construction.

Referred to Committee on Fish and Game.

Senate Bill No. 793: By Senators Gordon, Collier, McCormack, Sutton, Hulse, McBride, Brown, Busch, Quinn, Rich, Swing, Carter, Cunningham, Powers, Keating, Tenney, Williams, Judah, Salsman, Parkman, Weybret, Burns, Dillinger, Mayo, Deuel, Hatfield, Donnelly, Jespersen, and Dilworth—An act to amend Sections 156, 158, 159, 161, and 164 of the Vehicle Code, relating to license plates.

Referred to Committee on Transportation.

Senate Bill No. 794: By Senator Carter—An act to add Section 1247.5 to the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

Senate Bill No. 795: By Senator Carter—An act to amend Section 16271 of the Education Code, relating to use of school busses.

Referred to Committee on Education.

Senate Bill No. 796: By Senator Carter—An act to add Chapter 6.5, comprising Section 2500, to the Government Code, relating to suit for damages against a municipal or quasi-municipal corporation.

Referred to Committee on Local Government.

Senate Bill No. 797: By Senators Quinn, Dilworth, and Busch—An act to amend Section 1260 of the Military and Veterans Code, relating to definitions.

Referred to Committee on Military and Veterans Affairs.

Assembly Concurrent Resolution No. 34—Relative to persuading Dr. Robert Gordon Sproul to remain as President of the University of California.

Resolution read, and presented by Senator Breed.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Cunningham, DeLap, Deuel, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

MOTION TO SUSPEND SENATE RULE

Senator Mayo moved that Rule 12, Section 5, of the Standing Rules of the Senate, be suspended temporarily for the purpose of considering Senate Bill No. 99.

The roll was called, and the motion carried by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—33.

NOES—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 99—An act reappropriating to the Department of Public Works for expenditure exclusively for surveying projects for the control, conservation and utilization of water resources for any beneficial purpose required for mountainous areas of this State, the unexpended and unencumbered balance of funds appropriated by the Flood Control Fund Act of 1946, approved March 12, 1946, and allocated to the Department of Public Works by Section 15 of said act; repealing said Section 15 of said act; declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—34.

NOES—None.

Upon request of Senator Mayo, further consideration of Senate Bill No. 99 was continued to the next legislative day.

REQUEST FOR UNANIMOUS CONSENT

Senator Brown asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 10, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 10

Assembly Concurrent Resolution No. 10—Relative to continuance of the Joint Interim Committee on Aviation created by Resolutions Chapter 62 of the 1946 (First) Special Session.

Resolution read, and presented by Senator Brown.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have a rush order put on Senate Bill No. 595.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 278

Senator Judah moved that Senate Bill No. 278 be withdrawn from Committee on Transportation, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 278—An act to amend Section 502 of the Vehicle Code, relating to the driving of vehicles.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 16 to 18, inclusive, and insert

"There shall be no suspension of any sentence upon a conviction under this section and no suspension of the execution thereof. In any case in which probation is granted, one of the conditions of probation shall be that the person convicted of a violation of this section shall serve at least five days in the county jail."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

REPORTS OF STANDING COMMITTEES**Committee on Revenue and Taxation**

SENATE CHAMBER, SACRAMENTO, January 29, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 321

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

QUINN, Chairman

Above reported bill ordered to second reading.

ADJOURNMENT

At 11.30 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 9.30 a.m., Friday, January 31, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

TWENTIETH LEGISLATIVE DAY

TWENTY-SIXTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, January 31, 1947

The Senate met at 9.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Ward, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Martha Hyer of Hollywood.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. J. Foster Gibbings of Saskatchewan, Canada; Kenneth F. Hahn, William Stivers and Harry A. Marlow, all of Los Angeles.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. William Catton of San Diego.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Warren Olney III of Berkeley.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Norman H. Holt of Hanford.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Arthur Childes and Mr. Paul Paulas, both of Ukiah.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

BAKERSFIELD, CALIFORNIA, January 30, 1947

*Joe Beek, Secretary of Senate
Senate Chamber, State Capitol
Sacramento, California*

Please acknowledge for me to the President and all Members of the Senate receipt of the beautiful and inspiring hand-lettered illuminated scroll expressing their sympathy and best wishes. This generous and kindly act of my colleagues has cheered me beyond words. The sentiment contained in the resolution is sincerely appreciated. I shall always endeavor to retain the respect of my friends in the Senate and to merit their consideration and esteem.

JESS R. DORSEY

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 23
Senate Bill No. 55

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 39

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 39--Relative to congratulating Warren B. Francis upon becoming President of the National Press Club of Washington, D. C.

Resolution read, and ordered placed on file.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 227

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

REQUEST FOR UNANIMOUS CONSENT

Senator Slater asked for, and was granted, unanimous consent to take up Senate Bill No. 227, at this time, for consideration of Assembly amendments.

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 227—An act to amend the Health and Safety Code by repealing Sections 32127, 32202, 32204, 32205, 32303, 32308, 32312, 32313; by amending Sections 32003, 32100, 32203, 32305, 32309, 32310; and by adding new sections numbered 32127, 32202, 32204, 32303, 32308, 32312, all relating to local hospital districts; including the validation of districts heretofore organized, and declaring the urgency of this act, to take effect immediately.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 227?

Amendment No. 1

In line 5 of the title of the printed bill, strike out "32203,".

Amendment No. 2

In line 6 of the title of said bill, after "districts;" insert "including the validation of districts heretofore organized,".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 227 by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Slater, Sutton, Swing, Tenney, Watson, and Williams—27.

NOES—None.

Above bill ordered enrolled.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 28

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 28—Relative to Pepperdine College.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 418

Assembly Bill No. 974

Assembly Bill No. 419

Assembly Bill No. 973

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 418—An act to add Sections 22252.1 and 22252.2 to the Water Code, relating to irrigation districts and the distribution of water in irrigation districts, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Water Resources.

Assembly Bill No. 419—An act to add Sections 29a and 29b to the California Water District Act, relating to California water districts and the distribution of water in such districts, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Water Resources.

Assembly Bill No. 974—An act to add Section 3090 to the Labor Code, relating to occupational training, making an appropriation in augmentation of the appropriation in Item 138 of the Budget Act of 1945, for support of the Division of Apprenticeship Standards, Department of Industrial Relations, to take effect immediately.

Referred to Committee on Labor.

Assembly Bill No. 973—An act making an appropriation in augmentation of the appropriation in Item 79.5 of the Budget Act of 1945, for publishing, purchasing, and shipping free textbooks, to take effect immediately.

Referred to Committee on Education.

Chief Assistant Secretary Cleve V. Taylor at the Desk

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 45—An act to repeal Sections 2 and 5 of, and to add new Sections 2 and 5 to, an act entitled "An act relating to real property of a city, county, or city and county, situate without the territorial boundaries of the owner, prescribing regulations concerning the handling and disposition of such property, whether by sale, lease, license or otherwise, and providing for the administration and enforcement of the provisions of this act," approved July 12, 1945, relating to the handling and disposition of such real property, declaring the urgency thereof, to take effect immediately;

Senate Bill No. 64—An act to amend Sections 164, 181, 222 of, to repeal Section 146.5 of, and to add Section 182.1 to, the Vehicle Code, relating to the registration and transfers of registration of vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of January, 1947, at 4 p.m.

POWERS, Chairman

Committee on Finance

SENATE CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 565

Assembly Bill No. 403

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Assembly Bill No. 966

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 714

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

O'GARA, Vice Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 374

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 6; absent 5.

SWING, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 372

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 11

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolution ordered to second reading.

RESOLUTIONS

The following resolutions were offered:

By Senator Slater:

Senate Resolution No. 41

To fittingly express its appreciation of the more than 40 years of fine public service rendered the State of California by Richard E. "Dick" Collins, as a member of the State Board of Equalization, and most of this long period as chairman of the group, the Senate of the State of California, willingly adds its tribute to the many acknowledgments in praiseworthy terms of the steadfast adherence to the trust he undertook so long ago; therefore, be it

Resolved by the Senate of the State of California in session this thirty-first day of January, 1947, That we tender our sincere congratulations to Richard E. Collins, for his fine loyalty in public service in the post previously designated in this note, coupled with the hope that he may on his retirement from public service, enjoy health and happiness in California, his native State, and whose history, chivalry and romance have always been his proud heritage as a Native Son of the Golden West; and be it further

Resolved, That the Secretary of the Senate be and is hereby requested to forward a copy of this resolution suitably engrossed to the Honorable Richard E. Collins.

Resolution read, and, on motion of Senator Slater, adopted.

By Senator Brown:

Senate Resolution No. 42

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant on the contingent fund of the Senate in favor of the Secretary of the Senate in the sum of five hundred thirty dollars (\$530) to pay to the persons whose names are set forth below the amounts set opposite each of their names for services rendered to the Senate prior to the convening of the Fifty seventh General Session, and the Treasurer is directed to pay the same.

Harry Jordan, Bookkeeper, 7 days @ \$12-----	\$84 00
Pat Rollins, Assistant at Desk, 6 days @ \$10-----	60 00
J. F. Nolan, Sergeant-at-Arms, 3 days @ \$15-----	45 00
Thomas A. Wright, Assistant Sergeant-at-Arms, 3 days @ \$9-----	27 00
Robert R. Horbach, Assistant Sergeant-at-Arms, 3 days @ \$9-----	27 00
David Shipp, Assistant Sergeant-at-Arms, 3 days @ \$9-----	27 00
Florence Mason, Assistant at Desk, 2 days @ \$10-----	20 00
John F. Lea, Minute Clerk, 16 days @ \$15-----	240 00

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jepsen, Keating, Kraft, Mayo, McBride, McCormack, O'Garra, Powers, Quinn, Rich, Slater, Sutton, Swang, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

President Pro Tempore of the Senate Presiding

At 10.15 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

MESSAGES FROM THE GOVERNOR

January 30, 1947

To the Senate of the State of California:

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

ZDENKA BUCHN, a resident of Los Angeles; Member of the Board of Social Work Examiners since September, 1945;
to the Board of Social Work Examiners, vice self, for the term prescribed by law, ending January 15, 1951.

JESSIE S. WILLIAMSON, a resident of Berkeley; Member of the Social Welfare Board since November, 1943;
to the Social Welfare Board, vice self, for the term prescribed by law, ending January 15, 1951.

LARS E. CARLSON, a resident of La Jolla; Member of the Board of Trustees of the Norwalk State Hospital since June, 1944;
to the Board of Trustees of the Norwalk State Hospital, vice self, for the term prescribed by law, ending December 28, 1950.

C. ARNHOLT SMITH, a resident of San Diego; Member of the California Highway Commission since September, 1943;
to the California Highway Commission, vice self, for the term prescribed by law, ending January 15, 1951.

AWBREY MOFFITT, a resident of Lemon Cove; citrus grower; Director and Vice-President of the California Fruit Growers Exchange;
to the Agricultural Prorate Advisory Commission (representing citrus interests), vice C. E. Myers, deceased, for the term prescribed by law, ending January 1, 1948.

DANIEL JUDSON CALLAGHAN, a resident of Oakland; Member of the California Veterans Board since May, 1946;
to the California Veterans Board, vice self, for the term prescribed by law, ending January 15, 1951.

B. A. ETCHEVERRY, a resident of Berkeley; Member of the State Water Resources Board since November, 1945;
to the State Water Resources Board, vice self, for the term prescribed by law, ending January 15, 1951.

LESTER S. READY, a resident of San Francisco; Member of the State Water Resources Board since November, 1945;
to the State Water Resources Board, vice self, for the term prescribed by law, ending January 15, 1951.

W. S. EVERTS, a resident of San Francisco; Member of the Agricultural Prorate Advisory Commission since January, 1946;
to Agricultural Prorate Advisory Commission (representing commercial handlers), vice self, for the term prescribed by law, ending January 1, 1951.

WENDELL ROBIE, a resident of Auburn; Member of the State Board of Forestry since January, 1944;
to State Board of Forestry (representing forest land ownership), vice self, for the term prescribed by law, ending January 15, 1951.

ERNEST B. WEBB, a resident of Long Beach; Member of the Industrial Accident Commission since September, 1945;
to the Industrial Accident Commission, vice self, for the term prescribed by law, ending January 15, 1951.

HOMER P. BROWN, a resident of Placerville; Member of the California Highway Commission since September, 1943;
to the California Highway Commission, vice self, for the term prescribed by law, ending January 15, 1951.

DAN MURPHY, JR., a resident of San Francisco; Member of the Industrial Accident Commission since September, 1945;
to the Industrial Accident Commission, vice self, for the term prescribed by law, ending January 15, 1951.

FRANK W. REYNOLDS, a resident of Ukiah; Member of the State Board of Forestry since January, 1944;
to State Board of Forestry (representing redwood producing industry), vice self, for the term prescribed by law, ending January 15, 1951.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY JOINT RESOLUTION NO. 13

Senator Hatfield moved that Assembly Joint Resolution No. 13 be withdrawn from Committee on Natural Resources, and referred to Committee on Rules.

Motion carried.

Senator Weybret Presiding

At 10.20 a.m., Senator Fred Weybret of the Twenty-fifth District, presiding.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 40

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 40—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 798: By Senator Tenney—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting, and providing for its powers and duties; providing for the examination and certification of shorthand reporters, with the designation of "Certified Shorthand Reporter;" providing for the reporting of depositions by certified shorthand reporters; and prescribing penalties for violations of this act, and to repeal those portions of Section 270 of the Code of Civil Procedure that are in conflict herewith.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 799: By Senator Tenney—An act to repeal Sections 350 and 354, inclusive, and to add Sections 350 to 360, inclusive, to the Health and Safety Code, relating to Division of Dental Health in the Department of Public Health, and to make an appropriation therefor.

Referred to Committee on Business and Professions.

Senate Bill No. 800: By Senator Tenney—An act to amend Section 110 of the Revenue and Taxation Code, relating to definition of terms used for taxation purposes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 801: By Senator Tenney—An act to amend Section 408 of the Revenue and Taxation Code, relating to records in the assessor's office.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 802: By Senator Tenney—An act to amend Sections 631 and 631.5 of the Code of Civil Procedure, relating to jury trials.

Referred to Committee on Judiciary.

Senate Bill No. 803: By Senator Tenney—An act to amend Sections 980, 983, and 984 of the Civil Code, all relating to rights in products of the mind.

Referred to Committee on Judiciary.

Senate Bill No. 804: By Senators Tenney and Burns—An act to add Chapter 7, comprising Sections 28280 to 28345, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40015 thereto, thereby consolidating and revising the law relating to sanitation in the production, handling, storage, and sale of food, including food production establishments, food containers and food licensing, and repealing acts and parts of acts specified therein.

Referred to Committee on Public Health and Safety.

Senate Bill No. 805: By Senators Tenney and Burns—An act to add Chapter 7 to Part 1 of Division 5 of the Health and Safety Code, comprising Sections 4010 to 4038, inclusive, and to add Section 40010 thereto, thereby consolidating and revising the law relating to water for domestic purposes and sanitary water systems, and repealing acts and parts of acts specified therein.

Referred to Committee on Public Health and Safety.

Senate Bill No. 806: By Senators Tenney and Burns—An act to add Chapter 5.5 comprising Sections 2425 and 2426, inclusive, to Division 3 of the Health and Safety Code, and to add Section 40009 thereto, thereby consolidating and revising the law relating to mosquito control, and repealing acts and parts of acts specified therein.

Referred to Committee on Public Health and Safety.

Senate Bill No. 807: By Senators Tenney and Burns—An act to add Chapter 5, comprising Sections 28110 to 28160, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40013 thereto, thereby consolidating and revising the law relating to cold storage, including refrigerating warehouses and food kept or preserved therein, and repealing acts and parts of acts specified therein.

Referred to Committee on Public Health and Safety.

Senate Bill No. 808: By Senators Tenney and Burns—An act to add Part 2 of Division 15 of the Health and Safety Code, comprising Sections 21400 to 21409, inclusive, and to add Section 40012 thereto, thereby consolidating and revising the law relating to examinations of pregnant and recently delivered women for syphilis, and repealing acts and parts of acts specified therein.

Referred to Committee on Public Health and Safety.

Senate Bill No. 809: By Senators Tenney and Burns—An act to repeal "An act to regulate the sale of eggs that have been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering the same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof," approved June 4, 1915, to repeal an act entitled "An act to regulate the sale of food and drink, the ingredients of which are in part composed of eggs shipped or imported into the State of California, from any point or place outside of the United States, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food or drink, and fixing penalties for the violation of the same or of any of the provisions thereof," approved June 4, 1915, and to repeal an act entitled "An act to regulate the placing of cards in all packages or wrappers enclosing manufacturers' food products, before being sold or offered for sale, which are composed in part of eggs shipped or imported into the State of California, from any point or place outside of the United States, and fixing penalties for the violation of the same or of any of the provisions thereof," approved June 4, 1915, all relating to the sale of eggs and egg products.

Referred to Committee on Public Health and Safety.

Senate Bill No. 810: By Senators Tenney and Burns—An act to repeal an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, and an act entitled "An act

to provide against the adulteration of food and drugs," approved March 26, 1895, relating to the adulteration of foods and drugs.

Referred to Committee on Public Health and Safety.

Senate Bill No. 811: By Senators Tenney and Burns—An act to repeal an act entitled "An act to prohibit within certain limits the mooring and anchoring of house-boats in rivers and streams, and the maintaining of privies, vaults, cesspools, sewer pipes and conduits on the banks of rivers and streams, and providing for punishment for violation thereof, declaring such acts to be public nuisances, and providing for the abatement of such nuisances," approved March 6, 1909.

Referred to Committee on Public Health and Safety.

Senate Bill No. 812: By Senators Tenney and Burns—An act to add Chapter 10, comprising Sections 28500 to 28509, to Division 21 of the Health and Safety Code, and to add Section 40018 thereto, thereby consolidating and revising the law relating to the sale and use of sulphur containing arsenic, and repealing acts and parts of acts specified therein.

Referred to Committee on Public Health and Safety.

Senate Bill No. 813: By Senators Tenney and Burns—An act to add Chapter 8, comprising Sections 28360 to 28455, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40016 thereto, thereby consolidating and revising the law relating to canneries, and repealing acts and parts of acts specified therein.

Referred to Committee on Public Health and Safety.

Senate Bill No. 814: By Senators Tenney and Burns—An act to add Chapter 9, comprising Sections 28475 to 28488, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40017 thereto, thereby consolidating and revising the law relating to the manufacture, sale and use of olive oil, and repealing acts and parts of acts specified therein.

Referred to Committee on Public Health and Safety.

Senate Bill No. 815: By Senators Tenney and Burns—An act to add Part 1 of Division 15 to the Health and Safety Code, comprising Sections 21000 to 21386, inclusive, and to add Section 40011 thereto, thereby consolidating and revising the law relating to the care and control of venereal disease, and repealing acts and parts of acts specified therein.

Referred to Committee on Public Health and Safety.

Senate Bill No. 816: By Senators Tenney and Burns—An act to add Chapter 6, comprising Sections 28190 to 28254, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40014 thereto, thereby consolidating and revising the law relating to bakeries and bakery products, and repealing acts and parts of acts specified therein.

Referred to Committee on Public Health and Safety.

Senate Bill No. 817: By Senator Tenney—An act to amend Section 4015a of the Political Code, relating to justices' court equipment.

Referred to Committee on Judiciary.

Senate Bill No. 818: By Senator Kraft—An act to add Sections 1128, 1129, 1130, 1131, and 1132 to the Streets and Highways Code, relating to the laying out of private or by-roads.

Referred to Committee on Transportation.

Senate Bill No. 819: By Senator Kraft—An act making an appropriation to the Board of Examiners of Trained Attendants Fund to carry out the provisions of the Trained Attendant Act.

Referred to Committee on Business and Professions.

Senate Bill No. 820: By Senator Kraft—An act to repeal Section 6060.5 of the Business and Professions Code, relating to admissions to practice law.

Referred to Committee on Judiciary.

Senate Bill No. 821: By Senator Kraft—An act to amend Section 11501 of the Government Code, relating to administrative procedure.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 822: By Senator Kraft—An act to amend Sections 12031, 12042, 12043, 12044 of the Education Code, relating to procedures for the issuance of certification documents by or for the State Board of Education.

Referred to Committee on Education.

Senate Bill No. 823: By Senator DeLap—An act to amend Section 673 of, and to add Sections 673.3 and 673.4 to, the Vehicle Code, relating to motor vehicle exhaust systems.

Referred to Committee on Transportation.

Senate Bill No. 824: By Senator DeLap—An act to repeal Chapter 4, comprising Sections 11380 to 11415, inclusive, of Part 1, Division 3, Title 2 of the Government Code, and to add a new Chapter 4, comprising Sections 11370 to 11441, inclusive, to Part 1, Division 3, Title 2 of said code, to amend the title of Chapter 5, Part 1, Division 3, Title 2 of said code, and to repeal Section 723 of the Political Code, all relating to administrative procedure and the rules of state agencies.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 825: By Senator DeLap—An act to amend Section 337 of the Code of Civil Procedure, relating to the time of commencing civil actions.

Referred to Committee on Judiciary.

Senate Bill No. 826: By Senator DeLap—An act amending Section 6489 of the Health and Safety Code, relating to the Sanitary District Act of 1923, and fixing compensation.

Referred to Committee on Public Health and Safety.

Senate Bill No. 827: By Senator Sutton—An act to provide for the establishment and maintenance of a cross-state trail originating near the junction with the Sierra Trail in the vicinity of the American River in El Dorado County and proceeding to a junction with the Coast and

Redwood Trail in Humboldt County, pursuant to the provisions of Article 6, Chapter 1 of Division 5 of the Public Resources Code, relating to riding and hiking trails.

Referred to Committee on Natural Resources.

Senate Bill No. 828: By Senator Collier—An act to add Section 4052f to the Political Code and Section 25368 to the Government Code, relating to conveyances of county property for hospital purposes, and validating such conveyances hereto made.

Referred to Committee on Local Government.

Senate Bill No. 829: By Senator Sutton—An act to amend Section 1651 of the Education Code, relating to proceedings affecting school districts lying in two or more counties.

Referred to Committee on Education.

Senate Bill No. 830: By Senator Dilworth—An act to amend Section 1043 of the Agricultural Code, relating to licenses of persons selling fertilizing materials.

Referred to Committee on Agriculture.

Senate Bill No. 831: By Senators Breed, O'Gara, and Tenney—An act authorizing the Regents of the University of California to acquire real property, and to acquire, construct, erect, equip and furnish on said real property, or any real property owned or controlled by the Regents of the University of California, dormitories or other housing facilities or boarding facilities for use by students, faculty members or employees of the University of California; providing a method of financing such project through the issuance of revenue bonds, payable from the revenues of such projects; authorizing the Regents of the University of California to maintain and operate such projects, and to prescribe, revise and collect the rentals, rates and other charges for the services and facilities furnished thereby, authorizing the issuance of such revenue bonds and providing for their payment and the rights and remedies of the holders thereof; repealing an act entitled "An act authorizing the Regents of the University of California to issue and sell bonds to provide funds for the acquisition of the real property and for the erection, equipping and furnishing thereon or upon other real property owned by said Regents of the University of California of dormitories or other housing facilities for the use of students or employees of the University of California, declaring the urgency thereof and providing that this act shall take effect immediately," approved March 18, 1946.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 832: By Senator Powers—An act to amend Sections 6210.3, added by Chapter 641 of the Statutes of 1943, 6504, 6895, and 7301 of, and to add Sections 6327, 6403, 6505.5, 6506, 6507, 6508, 6509, and 7405.1 to, the Public Resources Code, and to repeal Chapter 778 of the Statutes of 1931, relating to public lands.

Referred to Committee on Natural Resources.

Senate Bill No. 833: By Senator McCormack—An act providing for the transfer to the Department of Education of exclusive jurisdiction and control over certain lands.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 834: By Senator Jespersen—An act to amend Section 3301 of the Welfare and Institutions Code, relating to the blind.

Referred to Committee on Social Welfare.

Senate Bill No. 835: By Senator Jespersen—An act to add Sections 203, 204, and 205 to the Education Code, all relating to the California State Educational Agency for Surplus Property, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 836: By Senator Jespersen—An act to amend Section 39.6 of the Vehicle Code, relating to the registration of vehicles.

Referred to Committee on Transportation.

Senate Bill No. 837: By Senators Jespersen, Slater, McBride, Dillinger, O'Gara, Tenney, and Salsman—An act to add Chapter 8 to Division 10 of the Education Code, relating to state cerebral palsy schools.

Referred to Committee on Education.

Senate Bill No. 838: By Senators Jespersen, Slater, McBride, Dillinger, O'Gara, Tenney and Salsman—An act to amend Sections 254, 255, 256, 263, and 271 of the Health and Safety Code, and to amend and renumber Sections 257 and 258 of said code, to add Section 275.5 to said code, and to repeal Sections 265 and 266 of said code, relating to physically handicapped children.

Referred to Committee on Social Welfare.

Senate Bill No. 839: By Senators Jespersen, McBride, Slater, Dillinger, O'Gara, Tenney, and Salsman—An act to amend Sections 5153, 7201, and 7202 of the Education Code, and to add Sections 9618 and 9646 to said code, all relating to the education of cerebral palsied pupils, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 840: By Senator Jespersen—An act to amend the heading of Article 12 of Chapter 7 of Division 4 of the Education Code, and to amend Sections 9176 and 9178 of said code, all relating to federal programs.

Referred to Committee on Education.

Senate Bill No. 841: By Senator Tenney—An act relating to aviation, providing for a State Aviation Commission, and defining its powers, duties, purposes and responsibilities.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 842: By Senators O'Gara and Tenney—An act to add Section 4.5 to the Housing Cooperation Law, relating to the coordination of, and assistance to, housing projects.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 843: By Senators O'Gara and Tenney—An act to add Sections 3.5 and 3.6 to the Housing Authorities Law, providing for the coordination of local housing plans by the State Housing Authority and prescribing the powers and duties of said authority, and expanding said act to include housing for veterans and families of veterans.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 844: By Senators O'Gara and Tenney—An act to amend Sections 2, 3, and 4, and to add Section 4.5 to the Community Land Chest Act, relating to housing of persons of low income, veterans, and others and providing for the administration of said act.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 845: By Senators O'Gara and Tenney—An act to amend Sections 2, 3, and 4 of, and to add Section 4.5 to, the Limited Dividend Housing Corporations Act, relating to housing of persons of low income, veterans, and others, and providing for the administration of said act.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 846: By Senators O'Gara and Tenney—An act to add Section 17.5 to the Community Redevelopment Act, relating to the powers and duties of the State Housing Authority in connection with community redevelopment projects.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 847: By Senator Jespersen—An act to amend Sections 26451 and 26453 of the Health and Safety Code, relating to packages of or packaged or enclosed food.

Referred to Committee on Public Health and Safety.

Senate Bill No. 848: By Senator Jespersen—An act to add Chapter 3, comprising Sections 1500 to 1517, inclusive, to Division 2 of the Health and Safety Code, relating to establishments rendering services to handicapped persons, providing for the licensing, inspection, and regulation of such establishments by the State Department of Public Health, and making an appropriation therefor.

Referred to Committee on Public Health and Safety.

Senate Bill No. 849: By Senator Breed—An act to amend Section 3044 of the Business and Professions Code, relating to the practice of optometry.

Referred to Committee on Business and Professions.

Senate Bill No. 850: By Senator Dillinger—An act appropriating money to pay the claim of Mrs. Augusta Miller against the State of California.

Referred to Committee on Finance.

Senate Bill No. 851: By Senator Dillinger—An act appropriating money to pay the claim of Roland Mueller against the State of California.

Referred to Committee on Finance.

Senate Bill No. 852: By Senator Dillinger—An act appropriating money to pay the claim of Roscoe Saxton against the State of California. Referred to Committee on Finance.

Senate Bill No. 853: By Senator Hatfield—An act to amend Section 748.1 of the Agricultural Code, relating to fund balances. Referred to Committee on Agriculture.

Senate Bill No. 854: By Senator Sutton—An act to amend Section 602 of the Revenue and Taxation Code, relating to property taxation. Referred to Committee on Revenue and Taxation.

Senate Bill No. 855: By Senator Sutton—An act to amend Section 92 of the Agricultural Code, relating to allocations to county fairs, including fairs of Colusa, Glenn and Tehama Counties. Referred to Committee on Governmental Efficiency.

Senate Bill No. 856: By Senator Sutton—An act making an appropriation to pay the claim of Mrs. W. H. Rosbury against the State of California. Referred to Committee on Finance.

Senate Bill No. 857: By Senator Sutton—An act to add Section 558 to the Streets and Highways Code, relating to state highway routes. Referred to Committee on Transportation.

Senate Bill No. 858: By Senator Sutton—An act to add Section 559 to the Streets and Highways Code, relating to state highway routes. Referred to Committee on Transportation.

Senate Bill No. 859: By Senator Sutton—An act to add Section 1152.1 to the Agricultural Code, relating to farm and market roads, and making an appropriation. Referred to Committee on Transportation.

Senate Bill No. 860: By Senator Sutton—An act to amend Sections 3 and 6, and to add Section 16.5 to an act entitled "An act declaring the public policy of the State, relating to flood waters and control, conservation of the state's water resources; creating the State Water Resources Board, and prescribing its powers and duties; prescribing the powers and duties of the Department of Public Works and authorizing the cooperation of the State Water Resources Board and the Department of Public Works with the United States, its instrumentalities and agencies, and with counties, cities, state agencies and public districts, relating to flood waters and their control, flood damage, and the washing away of river and stream banks by floods; adopting and authorizing construction of certain flood control projects and providing cooperation with the United States thereon," relating to the State Water Resources Board. Referred to Committee on Water Resources.

Senate Bill No. 861: By Senator Quinn—An act to amend Sections 985 and 986.3 of, and to add Section 987.11 to, the Military and Veterans' Code, relating to farm and home purchases for veterans. Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 862: By Senator Quinn—An act to amend Section 252 of the Unemployment Insurance Act, relating to disability benefits, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Senate Bill No. 863: By Senator Crittenden—An act to add Section 1.5 to an act entitled "An act to provide for the acquisition, establishment, and operation of additional temporary hospital facilities for mental patients in state institutions, making an appropriation therefor, and declaring the urgency of the act, to take effect immediately," approved March 9, 1946, to extend the time during which the appropriation made thereby may be expended, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Institutions.

Senate Bill No. 864: By Senator Busch—An act making an appropriation for flood control and repair of flood damage on the Russian River.

Referred to Committee on Water Resources.

Senate Bill No. 865: By Senators Crittenden and Hatfield—An act to amend Section 501 of the Agricultural Code, relating to milk inspection services.

Referred to Committee on Agriculture.

Senate Bill No. 866: By Senators Crittenden and Hatfield—An act to amend Section 593 of the Agricultural Code, relating to imitation cream.

Referred to Committee on Agriculture.

Senate Bill No. 867: By Senators Crittenden and Hatfield—An act to amend Section 647 of the Agricultural Code, relating to conveyances used for transporting milk or cream.

Referred to Committee on Agriculture.

Senate Bill No. 868: By Senators Crittenden and Hatfield—An act to amend Section 690 of the Agricultural Code, relating to the disposition of moneys derived under the provisions of the Milk and Milk Products Act of 1941.

Referred to Committee on Agriculture.

Senate Bill No. 869: By Senators Crittenden and Hatfield—An act to add Section 1152.7 to the Agricultural Code, relating to investigations, surveys, and assembling of facts pertinent to marketing.

Referred to Committee on Agriculture.

Senate Bill No. 870: By Senators Crittenden and Hatfield—An act to add Section 1300.19-1 to Chapter 10 of Division 5 of the Agricultural Code, relating to the time of commencing actions under the provisions of said chapter.

Referred to Committee on Agriculture.

Senate Bill No. 871: By Senators Crittenden and Hatfield--An act to add Section 24.5 to the Agricultural Producers Marketing Act, relating to limitation of actions under said act.

Referred to Committee on Agriculture.

Senate Bill No. 872: By Senators Crittenden and Hatfield--An act to amend Section 498.5 of the Agricultural Code, relating to qualifications and examinations for dairy inspection officers.

Referred to Committee on Agriculture.

Senate Bill No. 873: By Senators Crittenden and Hatfield--An act to amend Section 453.1 of the Agricultural Code, relating to imitation milk and milk products.

Referred to Committee on Agriculture.

Senate Bill No. 874: By Senators Crittenden and Hatfield--An act to amend Section 681 of the Agricultural Code, relating to testing and basis of payment for dairy products.

Referred to Committee on Agriculture.

Senate Bill No. 875: By Senators Crittenden and Hatfield--An act to repeal Section 545.5 of the Agricultural Code, relating to milk products used in the manufacture of cheese.

Referred to Committee on Agriculture.

Senate Bill No. 876: By Senators Crittenden and Hatfield--An act to repeal Section 601 of the Agricultural Code, relating to imitation ice cream and ice milk.

Referred to Committee on Agriculture.

Senate Bill No. 877: By Senators Crittenden and Hatfield--An act to repeal Section 509.1 of the Agricultural Code, relating to frozen milk products.

Referred to Committee on Agriculture.

Senate Bill No. 878: By Senators Crittenden and Hatfield--An act to add Section 1300.17-1 to the Agricultural Code, relating to allocation of funds for preliminary costs of marketing orders and agreements.

Referred to Committee on Agriculture.

Senate Bill No. 879: By Senators Crittenden, Hatfield, and Burns--An act to add a new chapter to Division 6 of the Agricultural Code, relating to cooperation with the Federal Government in marketing service functions.

Referred to Committee on Agriculture.

Senate Bill No. 880: By Senator Kraft--An act to add Section 46.5 to the State Water Resources Act of 1945 and Sections 18 and 19 to the Flood Control Fund Act of 1946, relating to flood control.

Referred to Committee on Water Resources.

Senate Bill No. 881: By Senator Kraft--An act making an appropriation to pay the claim of the City of San Diego against the State of California.

Referred to Committee on Finance.

Senate Bill No. 882: By Senator Tenney—An act to amend Section 4015 of the Political Code, relating to the consolidation of judicial townships.

Referred to Committee on Judiciary.

Senate Bill No. 883: By Senator Tenney—An act to amend Section 1425 of the Penal Code, relating to the jurisdiction of Class B justices' courts.

Referred to Committee on Judiciary.

Senate Bill No. 884: By Senator Tenney—An act to create a State Justices' and Constables' Examination Board and prescribe its duties and powers, to provide for the examination of applicants and issuance of certificates to persons qualifying who desire to file nomination papers for election to the office of justice of the peace of the Class B justices' court or township constable and to maintain a register of qualified persons from which appointments may be made; and to amend Section 159 of the Code of Civil Procedure; and to amend Section 1425 of the Penal Code; and to amend Sections 4015 and 4015a of the Political Code and making appropriations therefore.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 885: By Senator Tenney—An act to amend Section 4023 of the Political Code, relating to qualifications for the office of constable.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 886: By Senator Tenney—An act to amend Section 159 of the Code of Civil Procedure, relating to the qualifications of justices of the peace.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 887: By Senator Tenney—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction of the small claims court.

Referred to Committee on Judiciary.

Senate Bill No. 888: By Senator Tenney—An act to amend Section 4056d of the Political Code, relating to regulation of compensation of justices of the peace and constables.

Referred to Committee on Local Government.

Senate Bill No. 889: By Senator Tenney—An act making an appropriation to the Department of Finance for the acquisition of real property.

Referred to Committee on Transportation.

Senate Bill No. 890: By Senator Tenney—An act making an appropriation to the Department of Motor Vehicles for the construction and equipping of buildings.

Referred to Committee on Transportation.

Senate Bill No. 891: By Senator Tenney—An act making an appropriation to the Department of Motor Vehicles for the acquisition of real property.

Referred to Committee on Transportation.

Senate Bill No. 892: By Senator Tenney—An act making an appropriation for construction and equipping buildings.

Referred to Committee on Transportation.

Senate Bill No. 893: By Senator Tenney—An act to amend Section 5901 of, and to add Article 2.5, comprising Section 5945, to Chapter 5 of Division 8 of the Elections Code, relating to absent voting.

Referred to Committee on Elections.

Senate Bill No. 894: By Senator Tenney—An act to add Section 3066 to the Penal Code, relating to violation of parole.

Referred to Committee on Judiciary.

Senate Bill No. 895: By Senator Tenney—An act to amend Section 1272 of the Penal Code, relating to admission to bail pending appeal.

Referred to Committee on Judiciary.

Senate Bill No. 896: By Senator Tenney—An act to add Section 1307.5 to the Penal Code, relating to refund of forfeited deposit.

Referred to Committee on Judiciary.

Senate Bill No. 897: By Senator Tenney—An act to add Section 133 to the Streets and Highways Code, relating to construction or repair of highways.

Referred to Committee on Transportation.

Senate Bill No. 898: By Senator Tenney—An act to amend Section 1305 of the Penal Code, relating to forfeiture of bail bonds.

Referred to Committee on Judiciary.

Senate Bill No. 899: By Senator Tenney—An act to amend Section 1510 of the Penal Code of the State of California, relating to the duties of coroner.

Referred to Committee on Local Government.

Senate Bill No. 900: By Senator Tenney—An act to add Section 122.5 to the Military and Veterans Code, relating to the State Militia.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 901: By Senator Tenney—An act to add a new section to the Insurance Code, to be numbered 700.01, relating to the classes of insurance business incorporated insurers may be admitted to transact.

Referred to Committee on Financial Institutions.

Senate Bill No. 902: By Senator Tenney—An act to authorize and provide for the allocation and reallocation of money in the Flood Control Fund of 1946, and defining the terms and conditions upon which such allocations and reallocations shall be made.

Referred to Committee on Water Resources.

Senate Bill No. 903: By Senator Tenney—An act making an appropriation to the State Agricultural Society for the acquisition of historical paintings, relative to the missions in early California history.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 904: By Senator Tenney—An act to create a Department of State Records, providing its powers and duties, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 905: By Senator Powers—An act to add Sections 196 and 197 to the Agricultural Code, relating to the control and eradication of the cattle pest known as heel fly or ox warbles.

Referred to Committee on Agriculture.

Senate Bill No. 906: By Senators Powers, Tenney, Parkman, Ward, McCormack, Desmond, Burns, Kraft, Collier, Salsman, Breed, and O'Gara—An act to add Section 7032 to Article 2, Chapter 9, Division 3 of the Business and Professions Code, relating to the power of cities to regulate contractors.

Referred to Committee on Business and Professions.

Senate Bill No. 907: By Senators O'Gara and McBride—An act to amend Section 10159.2 of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

Senate Bill No. 908: By Senators Powers, Mayo, Kraft, Quinn, Cunningham, and DeLap—An act relating to publicly owned and operated communication facilities, creating a California State Communications Board, defining its powers and duties, and the duties of other state officials with relation thereto, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 909: By Senators Gordon, Slater, Hatfield, Crittenden, Weybret, DeLap, Tenney, Quinn, Busch, Desmond, Breed, Salsman, Carter, Keating, and Burns—An act making an appropriation to the University of California for the construction and equipment of a viticultural building.

Referred to Committee on Education.

Senate Bill No. 910: By Senators Breed and O'Gara—An act to amend Section 8 of the California Toll Bridge Authority Act, relating to additional toll bridges.

Referred to Committee on Transportation.

Senate Bill No. 911: By Senators Breed and O'Gara—An act to amend Section 30204 of the Streets and Highways Code, relating to additional toll bridges.

Referred to Committee on Transportation.

Senate Bill No. 912: By Senators Breed and O'Gara—An act to amend Section 30800 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Referred to Committee on Transportation.

Senate Bill No. 913: By Senators Breed and O'Gara—An act to add Sections 30204.1, 30204.2, 30204.3, 30204.4, 30204.5, and 30357 to the Streets and Highways Code, relating to additional toll bridges.

Referred to Committee on Transportation.

Senate Bill No. 914: By Senators Breed and O'Gara—An act to amend the title of and to amend Section 1 of an act entitled "An act to regulate the construction, operation and maintenance of toll bridges and toll roads situated wholly or in part within the State of California: vesting the exclusive jurisdiction over said toll bridges and toll roads in the Department of Public Works of the State of California; authorizing and empowering said department to grant upon certain terms, limitations, conditions and restrictions and under such supervision as in its judgment may be necessary, franchises, privileges or licenses for the construction or operation of toll bridges and toll roads and for the taking and keeping of tolls thereon, and to fix, determine, modify or change the rate of tolls to be taken thereon; to terminate the right of boards of supervisors to grant franchises, privileges or licenses for the construction, operation and the taking and keeping of tolls on toll bridges and toll roads; also providing that the State may purchase or retake any such toll bridges or toll roads constructed hereunder and repealing all other acts and parts of acts in conflict therewith," approved June 10, 1929, relating to franchises for toll bridges, toll roads, toll ferries, or other highway crossings.

Referred to Committee on Transportation.

Senate Bill No. 915: By Senators Breed and O'Gara—An act to add Section 6.7 to, and to amend Section 12 of, the California Toll Bridge Authority Act, relating to additional toll bridges.

Referred to Committee on Transportation.

Senate Bill No. 916: By Senators Breed and O'Gara—An act to amend Sections 30102 and 30221 of the Streets and Highways Code, relating to bonds for toll bridges.

Referred to Committee on Transportation.

Senate Bill No. 917: By Senators Breed and O'Gara—An act to amend Section 30605 of the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge.

Referred to Committee on Transportation.

Senate Bill No. 918: By Senator Swing—An act to add Section 38h to the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 919: By Senator Crittenden—An act to amend Section 20060 of, and to add Section 20985 to, the Government Code, relating to the State Employees' Retirement System, authorizing the employment by contracting agencies of retired members to render consulting services and authorizing the retention in service after otherwise mandatory retirement age of certain qualified local miscellaneous members.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 920: By Senator Crittenden—An act to add Section 25 to the Water Code, relating to water, and the powers of the State in relation thereto.

Referred to Committee on Water Resources.

Senate Bill No. 921: By Senator Crittenden—An act to amend Section 22 of the Agricultural Code, relating to the powers of the Director of Agriculture.

Referred to Committee on Agriculture.

Senate Bill No. 922: By Senator Crittenden—An act to amend Section 30 of the Agricultural Code, relating to the agricultural industry.

Referred to Committee on Agriculture.

Senate Bill No. 923: By Senator Crittenden—An act to add Section 102.5 to the Water Code, relating to water, and providing for the utilization and control thereof.

Referred to Committee on Water Resources.

Senate Bill No. 924: By Senator Crittenden—An act to amend Section 26901 of the Water Code, relating to changes in organization of irrigation districts.

Referred to Committee on Water Resources.

Senate Bill No. 925: By Senator Crittenden—An act to add Section 20566.1 to the Water Code, relating to petitions in irrigation districts.

Referred to Committee on Water Resources.

Senate Bill No. 926: By Senator Desmond—An act to amend Section 54 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 927: By Senator Desmond—An act to add Sections 2399 and 2400 to the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Local Government.

Senate Bill No. 928: By Senator Desmond—An act to add Article 6.5, comprising Sections 2350, 2351, and 2352, to Chapter 5 of Division 3 of the Health and Safety Code, relating to withdrawal of territory from mosquito abatement districts.

Referred to Committee on Local Government.

Senate Bill No. 929: By Senator Desmond—An act to amend Section 4312 of the Political Code, relating to location and hours of office of county offices.

Referred to Committee on Local Government.

Senate Bill No. 930: By Senators Desmond and Kraft—An act to amend Section 1352 of the Labor Code, relating to employment, working hours of female employees.

Referred to Committee on Labor.

Senate Bill No. 931: By Senator Swing—An act making an appropriation to the San Bernardino County Flood Control District for the payment of damages due to the construction works in the construction of the project for the control of floods on the Santa Ana River Basin, Lytle and Cajon Creeks.

Referred to Committee on Water Resources.

Senate Bill No. 932: By Senator Crittenden—An act making an appropriation for water resource investigations, surveys, studies, plans, estimates and reports thereon and creating a special fund in the State Treasury for such purpose.

Referred to Committee on Water Resources.

Senate Bill No. 933: By Senator Sutton—An act to add Section 89.4 to the Agricultural Code, relating to offices for Members of the Legislature.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 934: By Senator Weybret—An act to amend Section 1010 of the Fish and Game Code, relating to dealing in mollusks or crustaceans.

Referred to Committee on Fish and Game.

Senate Bill No. 935: By Senator O'Gara—An act creating the World Trade Center Authority and prescribing the powers and duties thereof; providing for the transfer of property and jurisdiction from the Board of State Harbor Commissioners for San Francisco Harbor to the authority and the cooperation of the said board in connection therewith; authorizing the authority to purchase or otherwise obtain land, buildings, works and property for the establishment of an international trade center, to be known as the World Trade Center, in the City and County of San Francisco, and offices thereof outside of said city and county, and authorizing the authority to construct and complete the World Trade Center directly or by contract; further authorizing the authority to operate and maintain (or either of them) the World Trade Center, directly or by contract or lease with a nonprofit corporation; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the projects to the uses and purposes set forth herein.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 936: By Senators Powers and Gordon—An act to add Section 1714.5 to the Civil Code, relating to liability based upon the flight of aircraft.

Referred to Committee on Judiciary.

Senate Bill No. 937: By Senator Hatfield—An act making an appropriation to the Fish and Game Commission for rearing pens for pheasants.

Referred to Committee on Fish and Game.

Senate Bill No. 938: By Senator O'Gara—An act making an appropriation to the World Trade Center Authority.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 939: By Senator Slater—An act to add Section 19626.5 to the Business and Professions Code, relating to agricultural buildings for county and district agricultural association fairs and the use of such buildings.

Referred to Committee on Agriculture.

Senate Bill No. 940: By Senator O'Gara—An act to add Section 5.43 to the World Trade Center Authority Act, relating to legal investments.

Referred to Committee on Financial Institutions.

Senate Bill No. 941: By Senator Rich—An act to amend Section 13370 of the Government Code, relating to filing with the Controller of copies of all state contracts, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 942: By Senator DeLap—An act making an appropriation to the State Controller for support.

Referred to Committee on Finance.

Senate Bill No. 943: By Senator DeLap—An act to add Section 1274.10a to the Code of Civil Procedure, relating to abandoned property or escheated property.

Referred to Committee on Judiciary.

Senate Bill No. 944: By Senator DeLap—An act to amend Sections 6401 and 6402 of the Public Resources Code, and to add Section 6403 thereto, relating to the reservation of oil, gas, and mineral rights in state lands.

Referred to Committee on Natural Resources.

Senate Bill No. 945: By Senator Watson—An act to amend Sections 794, 795, 797, 798, 799, 800, and 802, and to repeal Sections 797.5 and 799.1 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Senate Bill No. 946: By Senator DeLap—An act to amend Section 881 of the Fish and Game Code, relating to use of nets.

Referred to Committee on Fish and Game.

Senate Bill No. 947: By Senator DeLap—An act to amend Section 880 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Senate Bill No. 948: By Senator Williams—An act to amend Sections 120 and 4104.4 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 949: By Senator Williams—An act to add Article 7.5 to Chapter 1, Division 4, Title 1 of the Government Code, relating to strikes by government officers or employees.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 950: By Senator Kraft—An act to amend Sections 12135, 12136, 12302, 12304, 12405, 12502, and 13051 of the Education Code, to add Sections 12142, 12405.1, and 12406 to said code, and to repeal Section 13052 of said code, all relating to certification documents authorizing service in the public schools.

Referred to Committee on Education.

Senate Bill No. 951: By Senator Donnelly—An act making an appropriation for expenditure by the State Fire Marshal in carrying out the provisions and purposes of Chapter 8, Part 3, Division 13 of the Health and Safety Code, and of Senate Concurrent Resolution No. ____ of 1947, relating to inflammable materials, the act to take effect immediately.

Referred to Committee on Public Health and Safety.

Senate Bill No. 952: By Senators Donnelly, Crittenden, Judah, Breed, McBride, Dilworth, Carter, Quinn, Deuel, Tenney, O'Gara, Busch, Gordon, Keating, Williams, Sutton, Salsman, Hatfield, Jespersen, DeLap, and Burns—An act to provide for the purchase of uniforms for members of the California Cadet Corps and providing an appropriation therefor.

Referred to Committee on Education.

Senate Bill No. 953: By Senator Donnelly—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged, and increasing the amount thereof.

Referred to Committee on Social Welfare.

Senate Bill No. 954: By Senators Donnelly and Dilworth—An act to add Article 3a to, and to repeal Article 3 of, Chapter 7 of Division 8 of the Business and Professions Code, relating to motor fuel pump license tags.

Referred to Committee on Business and Professions.

Senate Bill No. 955: By Senators Donnelly and Dilworth—An act to amend Sections 20980 and 20981 of the Business and Professions Code, relating to penalties for violation of provisions regulating petroleum.

Referred to Committee on Judiciary.

Senate Bill No. 956: By Senators Donnelly and Dilworth—An act to amend Section 12020 of the Business and Professions Code, relating to false weights and measures.

Referred to Committee on Business and Professions.

Senate Bill No. 957: By Senators Donnelly and Dilworth—An act to amend Sections 12200, 12201, 12203, and 12214 of the Business and Professions Code, relating to appointment of sealers of weights and measures.

Referred to Committee on Business and Professions.

Senate Bill No. 958: By Senators Donnelly and Dilworth—An act to amend Section 12504 of the Business and Professions Code, relating to testing of weights and measures by request.

Referred to Committee on Business and Professions.

Senate Bill No. 959: By Senators Donnelly and Dilworth—An act to amend Sections 12604, 12606, 12608, 12609, 12610, and 12612 of the Business and Professions Code, relating to containers.

Referred to Committee on Business and Professions.

Senate Bill No. 960: By Senators Donnelly and Dilworth—An act to add Section 20709 to, and to amend Sections 20780, 20800, 20826, and 20840 of, the Business and Professions Code, relating to standards for petroleum products.

Referred to Committee on Business and Professions.

Senate Bill No. 961: By Senators Judah and Salsman—An act to add Article 4 to Chapter 1 of Division 4 of the Elections Code, relating to the submission to the electors of initiative measures which contain no provision for their amendment by the Legislature.

Referred to Committee on Elections.

Senate Bill No. 962: By Senators Judah and Cunningham—An act to amend Section 7.2 of the Unemployment Insurance Act, relating to unemployment insurance and employments excluded therefrom.

Referred to Committee on Social Welfare.

Senate Bill No. 963: By Senators Judah and Cunningham—An act to amend Section 58 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 964: By Senators Judah and Cunningham—An act to amend Section 58 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

Senate Constitutional Amendment No. 11: By Senator Tenney—Proposed amendment to the Constitution, relative to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 5 of Article XI thereof, relating to compensation of officers.

Referred to Committee on Local Government.

Senate Constitutional Amendment No. 12: By Senators O'Gara and Tenney—Proposed amendment to Sections 5 and 6 of Article IV of the Constitution, relative to Members of the Senate and Assembly.

Referred to Committee on Governmental Efficiency.

Senate Concurrent Resolution No. 22: By Senators Jespersen, Slater, McBride, Dillinger, O'Gara, Tenney, and Salsman—Relative to the problem of severely handicapped spastic and crippled children and adults.

Referred to Committee on Social Welfare.

Senate Joint Resolution No. 7: By Senator Jespersen—Relative to memorializing the President and the Congress of the United States in relation to the renewal of restrictions on the availability of federal surplus property to educational institutions.

Referred to Committee on Rules.

Senate Joint Resolution No. 8: By Senator Jespersen—Relative to memorializing Congress to enact legislation allowing the award of interest at the legal rate to successful employee claimants in claims adjusted under the Railway Labor Act.

Referred to Committee on Rules.

Senate Joint Resolution No. 9: By Senator O'Gara—Relative to memorializing the President and the Congress of the United States in relation to liberalizing immigration policy with respect to displaced persons now in European detention camps.

Referred to Committee on Rules.

**WITHDRAWAL FROM COMMITTEE OF SENATE CONCURRENT
RESOLUTION NO. 19**

Senator Tenney moved that Senate Concurrent Resolution No. 19 be withdrawn from Committee on Judiciary, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Concurrent Resolution No. 19—Relative to a study by the Judicial Council of the State of California of the court structure of all courts in the State of California exercising jurisdiction inferior to the superior court.

Resolution read.

Motion to Amend

Senator Tenney moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed measure, strike out lines 1 to 7, inclusive.

Amendment read, and adopted.

Resolution ordered printed, and re-referred to Committee on Judiciary.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill No. 144—An act making an appropriation to the Division of Beaches and Parks for the acquisition and development of the gold discovery site, declaring the urgency therefor, to take effect immediately.

Bill read second time.

Request for Unanimous Consent

Senator Dillinger asked for, and was granted, unanimous consent to take up Senate Bill No. 144, at this time, for consideration.

CONSIDERATION OF SENATE BILL NO. 144

Resolution to Suspend Constitutional Provision

The following resolution was offered :

By Senator Dillinger :

Resolved, That Senate Bill No. 144 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Denel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, Meltride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—34.
NOES—None

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 144—An act making an appropriation to the Division of Beaches and Parks for the acquisition and development of the gold discovery site, declaring the urgency therefor, to take effect immediately.

Bill read third time.

Upon request of Senator Dillinger, further consideration of Senate Bill No. 144 was continued to the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 455—An act to amend Section 2727.5 of the Business and Professions Code, relating to the qualifications of nurses, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 134—An act to amend Sections 3025, 3084, and 3087 of the Welfare and Institutions Code, relating to aid to the needy blind, increasing the amount thereof, and making an appropriation; and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 135—An act to amend Sections 3420 and 3472 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, increasing the amount thereof, and making an appropriation; and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 321—An act to amend Sections 6011 and 6012 of the Revenue and Taxation Code, relating to sales and use taxes and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 611—An act to add Article 4 to Chapter 1, Part 3, Division 2, of the Insurance Code, relating to insurance, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Cunningham.

Motion to Amend

Senator Carter moved the adoption of the following amendment :

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Senate on January 29th, after the period, insert

"As used in this article, the designation 'insurers admitted to transact liability insurance' shall not include an insurer whose transactions are controlled by a power of attorney from its subscribers which restricts its subscribers to the members of a limited, specified group of automobile owners and operators; provided a certified copy of such power of attorney is on file with the commissioner."

Amendment read.

Motion to Lay on Table

Senator Cunningham moved that the amendment offered by Senator Carter to Assembly Bill No. 611 be laid on the table.

Roll Call Demanded

Senators Carter, Breed, and Cunningham demanded a roll call.

The roll was called, and the motion carried by the following vote :

AYES—Senators Busch, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Sutton, Swing, Weybret, and Williams—23.

NOES—Senators Breed, Burns, Carter, Crittenden, Gordon, Hatfield, Hulse, Mayo, Rich, Slater, Tenney, and Watson—12.

Upon request of Senator Cunningham, further consideration of Assembly Bill No. 611 was continued to the next legislative day.

Senate Bill No. 99—An act reappropriating to the Department of Public Works for expenditure exclusively for surveying projects for the control, conservation and utilization of water resources for any beneficial purpose required for mountainous areas of this State, the unexpended and unencumbered balance of funds appropriated by the Flood Control Fund Act of 1946, approved March 12, 1946, and allocated to the Department of Public Works by Section 15 of said act; repealing said Section 15 of said act; declaring the urgency of this act, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 99 :

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 31, 1947

To the Honorable Members of the Senate
Sacramento, California

GENTLEMEN :

Senate Bill No. 99—"An act reappropriating to the Department of Public Works for expenditure exclusively for surveying projects for the control, conservation and utilization of water resources for any beneficial purpose required for mountainous areas of this State, the unexpended and unencumbered balance

of funds appropriated by the Flood Control Fund Act of 1946, approved March 12, 1946, and allocated to the Department of Public Works by Section 15 of said act; repealing said Section 15 of said act; declaring the urgency of this act, to take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 99 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—33.

NOES—None.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Bill No. 321, at this time, for consideration.

CONSIDERATION OF ASSEMBLY BILL NO. 321

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Tenney:

Resolved, That Assembly Bill No. 321 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—34.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 321—An act to amend Sections 6011 and 6012 of the Revenue and Taxation Code, relating to sales and use taxes and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

RESOLUTIONS

The following resolution was offered:

By Senator Judah:

Senate Resolution No. 43

Relative to the death of former Senator James B. Holohan

WHEREAS, The Members of this Senate are profoundly shocked and grieved this morning to learn of the death of James B. Holohan, a former Member of this Senate; and

WHEREAS, James B. Holohan was born in Watsonville, California, where he became one of the most successful and widely known agriculturalists of the State because of his extensive fruit raising enterprises in the Pajaro Valley; and

WHEREAS, In addition to this work he also devoted much of his life for the last 50 years to public service, having from time to time held various local and state offices of importance, among them the offices of Sheriff of Santa Cruz County, United States Marshal for Northern California, Warden of San Quentin Prison, was elected State Senator in 1908 and again in 1936, and served in this Senate representing the Twenty-third District; now, therefore, be it

Resolved by the Senate of the State of California, That four members of this body be appointed a committee to represent the Senate of California and to attend the funeral services of former Senator James B. Holohan; and be it further

Resolved, That the Secretary of the Senate is requested to transmit suitably prepared copies of this resolution to the family of James B. Holohan, as an expression of the esteem in which he was held by the Members of this Senate, and as an expression of their regret and deep sympathy for his family; and be it further

Resolved, That when this Senate this day adjourns it do so out of respect to the memory of former State Senator James B. Holohan.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—37.

REQUEST FOR UNANIMOUS CONSENT

Senator O'Gara asked for, and was granted, unanimous consent to take up Assembly Bill No. 403, at this time, for consideration.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 403—An act making an appropriation in augmentation of the appropriation in Item 249 of the Budget Act of 1945, for compensation benefits to state officers and employees, to take effect immediately.

Bill read second time.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator O'Gara:

Resolved, That Assembly Bill No. 403 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 403

Assembly Bill No. 403—An act making an appropriation in augmentation of the appropriation in Item 249 of the Budget Act of 1945, for compensation benefits to state officers and employees, to take effect immediately.

Bill read third time, and presented by Senator O'Gara.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 403:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 22, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 403—"An act making an appropriation in augmentation of the appropriation in Item 249 of the Budget Act of 1945 for compensation benefits to state officers and employees, to take effect immediately."

In my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 403 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Critchenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Helse, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salmon, Slater, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 418

Senator Jespersen moved that Assembly Bill No. 418 be withdrawn from Committee on Water Resources, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 418—An act to amend Sections 20025, 20750, and 21252 of, and to add Sections 20025.1, 21251.1, and 21251.2 to, the Government Code, relating to the State Employees' Retirement System, revising the rate of state contributions thereto and benefits payable therefrom with respect to certain classes of members thereof, including state miscellaneous members who have retired prior to the effective date hereof, and revising the amount of compensation of certain classes of members which is subject to computations under the system.

Bill read second time.

Motion to Amend

Senator Jespersen moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, after "deposit", insert "not to exceed 50 percent of the water charges per acre for the preceding year."

Amendment No. 2

On page 1, line 16, of said bill, after "board", insert "if notice thereof is published not later than March 1st in the year in the manner prescribed for the publication of the notice provided for in Section 22252.2".

Amendment No. 3

On page 2, line 2, of said bill, strike out "office county" and insert "district, or if no newspaper is published in the district, then in a newspaper published in the office county, or if no newspaper is published in the office county, then in a newspaper published in any affected county".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

REQUEST FOR UNANIMOUS CONSENT

Senator Powers asked for, and was granted, unanimous consent to take up Senate Bill No. 565, at this time, for consideration.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 565—An act making an appropriation in augmentation of the appropriation in Item 9 of the Budget Act of 1943, for legislative printing, binding, etc., for the Fifty-sixth Session, to take effect immediately.

Bill read second time.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Powers:

Resolved, That Senate Bill No. 565 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—34.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 565

Senate Bill No. 565—An act making an appropriation in augmentation of the appropriation in Item 9 of the Budget Act of 1943, for legislative printing, binding, etc., for the Fifty-sixth Session, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 595

Has had the same under consideration, and reports the same back with the recommendation: **Do pass.**

Committee membership 11; committee vote: Ayes 9; absent 2.

CRITTENDEN, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to take up Senate Bill No. 595, at this time, for consideration.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 595—An act to add Section 204.5 to the Agricultural Code, relating to infectious and contagious diseases of livestock and poultry, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Hatfield:

Resolved, That Senate Bill No. 595 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 595

Senate Bill No. 595—An act to add Section 204.5 to the Agricultural Code, relating to infectious and contagious diseases of livestock and poultry, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Rules has this day appointed Senators Judah, Slater, Weybret, and Parkman, to attend the funeral of former Senator James B. Holohan under the terms of Senate Resolution No. 43.

POWERS, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 39, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 39

Assembly Concurrent Resolution No. 39—Relative to congratulating Warren B. Francis upon becoming President of the National Press Club, Washington, D. C.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 33—Relative to Frank N. Killam.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—35.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 7—Relative to conferring citizenship upon all Indians, native of the United States, releasing them from status of wards of the government, and dividing and distributing the tribal reservations.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah,

Keating, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 21—An act to amend Section 1054 of the Code of Civil Procedure, relating to extensions of time.

Bill read third time, and presented by Senator Tenney.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 488

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 6; noes 2; absent 3.

QUINN, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 488—An act to amend Section 105 of the Revenue and Taxation Code, and to add Section 105.1 to said code, relating to property taxes and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended, strike out "vault doors,".

Amendment No. 2

On page 1, line 12, of the printed bill, as amended, after "business", insert a comma.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

MOTION TO RETAIN PLACE ON FILE

Senator Powers moved that Senate Bill No. 374 be passed on file, and retain its place on file.

Motion carried.

RECESS

At 11.29 a.m., on motion of Senator Powers, the Senate recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Senate reconvened.

Hon. Harold J. Powers, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 20—Relative to approving certain amendment to the charter of the County of San Mateo, State of California;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the thirty-first day of January, 1947, at 11 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 565

Senate Bill No. 595

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:

Assembly Bill No. 550

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

DELAP, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Joint Resolution No. 13

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolution ordered to third reading.

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Assembly Bill No. 626

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

KRAFT, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Concurrent Resolution No. 21

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 7; absent 2.

COLLIER, Chairman

Above reported resolution ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

Senate Bill No. 965: By Senators Judah and Cunningham—An act to amend Sections 1 and 57 of, and to add Section 57.1 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 966: By Senators Judah and Cunningham—An act to add Section 57.1 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 967: By Senators Judah and Cunningham—An act to add Section 57.3 to, and to amend Section 58 of, the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 968: By Senator Dillinger—An act to amend Section 4041.18 of the Political Code, and Section 25450 of the Government Code, relating to powers of supervisors.

Referred to Committee on Local Government.

Senate Bill No. 969: By Senator Dorsey—An act adopting and authorizing a plan for the control and utilization of flood waters of Caliente, Sycamore, Little Sycamore, Comanche, and Tejon Creeks in Kern County and making an appropriation therefor.

Referred to Committee on Water Resources.

Senate Bill No. 970: By Senators Swing and McBride—An act to amend Section 53.2 of the Alcoholic Beverage Control Act, relating to the unlawful maintenance of club rooms or other premises.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 971: By Senators Tenney, Desmond, Williams, Parkman, Slater, Weybret, Busch, O'Gara, McBride, Carter, Hatfield, Powers, Swing, Crittenden, Donnelly, Keating, Quinn, Kraft, Watson, Breed, Burns, Dillinger, Jespersen, and Judah—An act to amend Section 10 of the Political Code, relating to holidays.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 972: By Senators Collier, Hatfield, Powers, Burns, Keating, Brown, Parkman, Mayo, and McCormack—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses

may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 4 and 5 thereof, relating to the study and practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health and Safety.

Senate Bill No. 973: By Senator Dillinger—An act to add Chapter 8, comprising Sections 2801 to 2810, inclusive, to Division 2 of the Public Resources Code, relating to mining conducted by dredging operations.

Referred to Committee on Natural Resources.

Senate Bill No. 974: By Senator Dillinger—An act to amend Section 120.5 of the Welfare and Institutions Code, relating to the functions of the State Department of Social Welfare, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Senate Bill No. 975: By Senator Quinn—An act making an appropriation for the acquisition of sites by the Department of Education.

Referred to Committee on Education.

Senate Bill No. 976: By Senator Salsman—An act to amend Section 209 of the Penal Code, relating to the punishment of kidnapping.

Referred to Committee on Judiciary.

Senate Bill No. 977: By Senators Breed, O'Gara, and Dilworth—An act to add Division 17, comprising Sections 30000 to 30873, inclusive, and Sections 50009, 50010, 50011, and 50012 to the Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, including the law relating to toll bridges, toll ferries and toll roads, and to repeal certain acts and parts of acts specified herein.

Referred to Committee on Transportation.

Senate Bill No. 978: By Senators Breed, O'Gara, and Dilworth—An act to amend Section 30101 of the Streets and Highways Code, relating to toll highways.

Referred to Committee on Transportation.

Senate Bill No. 979: By Senators Breed, O'Gara, and Dilworth—An act to amend Section 30412 of the Streets and Highways Code, relating to toll bridges, toll roads and toll ferries.

Referred to Committee on Transportation.

Senate Bill No. 980: By Senators Breed, O'Gara, and Dilworth—An act to amend Section 30803 of the Streets and Highways Code, relating to toll bridges, toll roads and toll ferries.

Referred to Committee on Transportation.

Senate Bill No. 981: By Senators Breed, O'Gara, and Dilworth—An act to amend Section 30870 of the Streets and Highways Code, relating to toll bridges and toll ferries.

Referred to Committee on Transportation.

Senate Bill No. 982: By Senator Quinn—An act to amend Sections 970, 972, 973, and 974 of the Fish and Game Code, relating to districts.

Referred to Committee on Fish and Game.

Senate Bill No. 983: By Senators Quinn, O'Gara, Slater, Keating, and Busch—An act to amend Section 356 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

Senate Bill No. 984: By Senator Quinn—An act to add Section 20836.5 to the Government Code, relating to the State Employees' Retirement System, and providing for allocation and payment of the cost of prior service rendered by local members to more than one contracting agency.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 985: By Senator Quinn—An act amending Section 431 of the Military and Veterans Code relating to the control of armories by the Adjutant General, including the power to lease or otherwise authorize the use of the same, the creation of armory boards and their powers, the collection, payment and accounting of revenues and income from armories.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 986: By Senator Quinn—An act to add Section 647.1 to the Military and Veterans Code, relating to the issue of a California service ribbon to members of the California State Guard who served honorably in the State Guard during World War II.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 987: By Senator Quinn—An act to repeal Section 395.7 of the Military and Veterans Code, relating to rights of restoration to former or like positions by members of the State Guard leaving private employment for active service in the State Guard.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 988: By Senator Quinn—An act amending Section 395 of the Military and Veterans Code, relating to the pay and allowances of National Guard officers and enlisted men while on active duty in the service of the State and attending drills, camps or special exercises sponsored by federal authority or while serving in cases of an emergency; the right to be reinstated to employment following return from full-time active duty after an emergency and the procedure therefor.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 989: By Senators Cunningham and Busch—An act to amend Section 460 of the Government Code, relating to the counties of the State.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 990: By Senators Dilworth, Weybret, and Watson—An act to add Part 4 to Division 5 of the Health and Safety Code and Chapter 3 to Division 1 of the Water Code, to renumber Sections 5439 and 5445 of the Health and Safety Code, and to repeal Articles 2 and 3 of Chapter 6 of Part 3 of Division 5 of the Health and Safety Code, relating to waste disposal, liquid, gaseous, and solid, including but not limited to the protection of the quality of waters of the State, requiring permits therefor, providing for the administration and investigation thereof by the State Department of Public Health, the Department of Public Works, and the Department of Natural Resources, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health and Safety.

Senate Bill No. 991: By Senator O'Gara—An act to add Section 1238.2 to the Code of Civil Procedure, relating to farmers' free market.

Referred to Committee on Local Government.

Senate Bill No. 992: By Senator O'Gara—An act to amend Section 957 of the Welfare and Institutions Code and to add Section 957.1 to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to county juvenile homes, providing for state aid for the maintenance, alteration, remodeling and construction of such homes, and making an appropriation of \$-----.

Referred to Committee on Social Welfare.

Senate Bill No. 993: By Senator O'Gara—An act to amend Sections 18661, 18662 and 18671 of the Education Code, relating to the dedication, sale, and leasing of real property belonging to school districts.

Referred to Committee on Education.

Senate Bill No. 994: By Senator O'Gara—An act to add to the Insurance Code a new section to be numbered Section 10972.1, providing that any state, district or local branch or unit of any fraternal benefit society shall not be restricted from furnishing to its members and their beneficiaries and dependents, or to any group of such members, hospitalization or physician's services when the same are furnished by the state, district or local branch or unit independently of its affiliation with the supreme or governing lodge and by means of its own funds and without regard to any funds in the possession or control of such supreme or governing lodge.

Referred to Committee on Financial Institutions.

Senate Bill No. 995: By Senator O'Gara—An act to add Section 1630 to the Civil Code.

Referred to Committee on Judiciary.

Senate Bill No. 996: By Senator O'Gara—An act to relinquish to the City and County of San Francisco any and all right, title and

interest of the State of California in and to the present and former street areas within the exterior boundaries of salt marsh and tide lands donated by the State to Southern Pacific Railroad Company and Western Pacific Railroad Company by an act entitled "An act to survey and dispose of certain salt marsh and tide lands belonging to the State of California," affirmed March 30, 1868, and adjacent streets, and to remove all restrictions as to the use or disposition thereof by said City and County of San Francisco, and repealing all acts and parts of acts in conflict herewith.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 997: By Senator O'Gara—An act making an appropriation to the Board of State Harbor Commissioners for maintenance of fire boats, to take effect immediately.

Referred to Committee on Transportation.

Senate Bill No. 998: By Senator O'Gara—An act to amend Section 18594 of the Government Code, relating to the officers and employees of the Public Utilities Commission of the State of California (formerly the Railroad Commission of the State of California), exempting certain positions from the state civil service.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 999: By Senators O'Gara and McBride—An act to amend Sections 10202 and 10210 of the Insurance Code, relating to group life insurance.

Referred to Committee on Financial Institutions.

Senate Bill No. 1000: By Senator O'Gara—An act to amend Section 758a of the Political Code, relating to the porter for the First District Court of Appeal.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1001: By Senator Busch—An act to amend Sections 6761 and 6762 of the Welfare and Institutions Code, relating to persons received into state hospitals for the mentally ill pursuant to provisions of the Penal Code.

Referred to Committee on Welfare and Institutions.

Senate Bill No. 1002: By Senator DeLap—An act to amend Section 144 of the Education Code, relating to the salary of the Deputy Superintendent of Public Instruction appointed by the Superintendent of Public Instruction.

Referred to Committee on Education.

Senate Bill No. 1003: By Senator DeLap—An act to add Sections 144.1 and 144.2 to the Education Code, relating to the Deputy Superintendent of Public Instruction and associate superintendents of public instruction appointed under Section 2.1 of Article IX of the State Constitution, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 1004: By Senators Cunningham and Busch—An act to add Section 12461.5 to the Government Code, relating to the duties of the Controller.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1005: By Senators Cunningham and Busch—An act to add Section 25.5 to the Municipal Court Act of 1925, relating to the fees of marshals.

Referred to Committee on Local Government.

Senate Bill No. 1006: By Senators Cunningham and Busch—An act to amend Section 27802 of the Government Code, relating to justices of the peace.

Referred to Committee on Local Government.

Senate Bill No. 1007: By Senators Cunningham and Busch—An act to amend Section 23005 of the Government Code, relating to the government of counties.

Referred to Committee on Local Government.

Senate Bill No. 1008: By Senators Cunningham and Busch—An act to amend Section 25207 of the Government Code, relating to the government of counties.

Referred to Committee on Local Government.

Senate Bill No. 1009: By Senators Quinn, O'Gara, Keating, Slater, Busch, and Gordon—An act to amend Sections 27146 and 27154 and to repeal Section 27246 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

Senate Bill No. 1010: By Senators Cunningham and Busch—An act to amend Section 25822 of the Government Code, relating to the government of counties.

Referred to Committee on Local Government.

Senate Bill No. 1011: By Senators Cunningham and Busch—An act to amend Section 28000 of the Government Code, relating to the government of counties.

Referred to Committee on Local Government.

Senate Bill No. 1012: By Senators Cunningham and Busch—An act to amend Section 29064 of the Government Code, relating to the government of counties.

Referred to Committee on Local Government.

Senate Bill No. 1013: By Senators Cunningham and Busch—An act to amend Section 29301 of the Government Code, relating to the government of counties.

Referred to Committee on Local Government.

Senate Bill No. 1014: By Senators Cunningham and Busch—An act to amend Section 31284 of the Government Code, relating to the government of counties.

Referred to Committee on Local Government.

Senate Bill No. 1015: By Senators Cunningham and Busch—An act to amend Section 31522 of the Government Code, relating to the government of counties.

Referred to Committee on Local Government.

Senate Bill No. 1016: By Senators Cunningham and Busch—An act to amend Section 31110 of the Government Code, relating to the government of counties.

Referred to Committee on Local Government.

Senate Bill No. 1017: By Senators Cunningham and Busch—An act to amend Section 31960 of the Government Code, relating to the government of counties.

Referred to Committee on Local Government.

Senate Bill No. 1018: By Senators Cunningham and Busch—An act to amend Section 32320 of the Government Code, relating to the government of counties.

Referred to Committee on Local Government.

Senate Bill No. 1019: By Senator Tenney—An act to add Section 1873 to the Code of Civil Procedure, relating to exclusion of evidence secured by interception of telephone or telegraph communications or wiretapping.

Referred to Committee on Judiciary.

Senate Bill No. 1020: By Senator Tenney—An act making an appropriation for payment of overtime work by members of the California Highway Patrol.

Referred to Committee on Transportation.

Senate Bill No. 1021: By Senator Tenney—An act making an appropriation to the State Controller for support.

Referred to Committee on Finance.

Senate Bill No. 1022: By Senator Tenney—An act to amend Sections 11271, 11272, and 11274 of, and to add Section 11275 to, the Government Code, relating to the allocation of administrative costs to special fund agencies, and the duties of the Board of Control and Controller in connection therewith.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1023: By Senator Tenney—An act to amend Section 105 of the Code of Civil Procedure, relating to calling of substitute justice or judge.

Referred to Committee on Judiciary.

Senate Bill No. 1024: By Senators Tenney, Desmond, Kraft, Burns, Watson, and Gordon—An act to add Section 10052(a) to the Education Code, relating to mandatory instruction in American principles as prerequisite to problem study in specified subjects.

Referred to Committee on Education.

Senate Bill No. 1025: By Senators Tenney, Desmond, Kraft, Burns, Watson, and Gordon—An act to amend Section 10051 of the Education Code, relating to instruction in American history and related subjects.

Referred to Committee on Education.

Senate Bill No. 1026: By Senators Tenney, Desmond, Kraft, Burns, Watson, and Gordon—An act to add a new section to be known as Section 10501 (a) of the Education Code, relating to courses of instruction in sex and marriage problems.

Referred to Committee on Education.

Senate Bill No. 1027: By Senators Tenney, Desmond, Kraft, Burns, Watson, and Gordon—An act to amend Education Code Section 8273, relating to distribution or use of propaganda material and establishment of controversial courses of study in public schools.

Referred to Committee on Education.

Senate Bill No. 1028: By Senators Tenney, Desmond, Kraft, Burns, Watson, and Gordon—An act to add new sections to the Education Code, to modify existing procedure regarding selection and adoption of state textbooks and to repeal sections of said code in conflict herewith.

Referred to Committee on Education.

Senate Bill No. 1029: By Senators Tenney, Desmond, Kraft, Burns, Watson, and Gordon—An act to add Section 13230 (a) to the Education Code, relating to mandatory instruction in fundamentals.

Referred to Committee on Education.

Senate Bill No. 1030: By Senators Tenney, Desmond, Kraft, Burns, Watson, and Gordon—An act to amend Section 10302 of the Education Code, relating to courses of study in elementary schools.

Referred to Committee on Education.

Senate Bill No. 1031: By Senators Tenney, Desmond, Kraft, Burns, Watson, and Gordon—An act to amend Section 11291 of the Education Code, relating to elementary school textbooks.

Referred to Committee on Education.

Senate Bill No. 1032: By Senator Keating—An act to amend Section 5410 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

Senate Bill No. 1033: By Senator Keating—An act to amend Section 4553 of the Labor Code, relating to compensation for serious and wilful misconduct under the Workmen's Compensation Act.

Referred to Committee on Labor.

Senate Bill No. 1034: By Senator Keating—An act to add Section 17129.5 to the Revenue and Taxation Code, relating to gross income under the Income Tax Law.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1035: By Senator Keating—An act to amend Section 755 of the Political Code, relating to the salary of the Clerk of the Supreme Court and ex officio Secretary of the Judicial Council.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1036: By Senator Watson—An act to amend Section 947 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Senate Bill No. 1037: By Senator Jespersen—An act to repeal Chapter 11, comprising Sections 7500 to 7593, inclusive, of Division 3 of the Business and Professions Code, and to add a new Chapter 11, comprising Sections 7500 to 7581, inclusive, to Division 3 of said code, relating to the definition of and the licensing and regulation of private detectives.

Referred to Committee on Business and Professions.

Senate Bill No. 1038: By Senators Keating, O'Gara, Slater, Gordon, Quinn, and Busch—An act to provide for the transfer of title and easement to the highway known as Sausalito Lateral by the State Highway Commission from Golden Gate Bridge and Highway District, and to provide for the incorporation of such highway in the State Highway System of the State of California.

Referred to Committee on Transportation.

Senate Bill No. 1039: By Senators Keating, O'Gara, Slater, Gordon, Quinn, and Busch—An act to amend the title of, and to add Section 1.5 to, an act entitled "An act to provide for the construction of a road in Marin County, and including its incorporation into the State Highway System, and making an appropriation," approved July 18, 1945, relating to the purposes of expenditure of said appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation.

Senate Bill No. 1040: By Senators O'Gara, Keating, Slater, Gordon, Quinn, and Busch—An act to amend Section 302 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

Senate Bill No. 1041: By Senators Slater, Keating, O'Gara, Gordon, Quinn, and Busch—An act to amend Section 27300 of the Streets and Highways Code, relating to revenues of bridge and highway districts.

Referred to Committee on Transportation.

Senate Bill No. 1042: By Senators O'Gara, Keating, Slater, Gordon, Quinn, and Busch—An act to amend Section 27149 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

Senate Bill No. 1043: By Senators Slater, O'Gara, Keating, Gordon, Quinn, and Busch—An act to provide for the realignment and

reconstruction of State Highway Route 8 and making an appropriation therefor.

Referred to Committee on Transportation.

Senate Bill No. 1044: By Senators O'Gara, Keating, Slater, Gordon, Quinn, and Busch—An act to amend Section 27020 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

Senate Bill No. 1045: By Senator DeLap—An act to amend Section 21 of the Bank Act, relating to surplus of banks, Sections 23, 60, and 82 of the Bank Act, relating to the minimum capital requirements for new banks, and Section 9, relating to the establishment of branch banks.

Referred to Committee on Financial Institutions.

Senate Bill No. 1046: By Senator Salsman—An act to add Section 1239.5 to the Code of Civil Procedure, relating to eminent domain and the use of property acquired pursuant to eminent domain proceedings by the state and public agencies.

Referred to Committee on Judiciary.

Senate Bill No. 1047: By Senator Breed—An act to amend Section 3721 of the Political Code, relating to assessment and taxation of property affected by the organization, formation and incorporation of sanitary districts or any change of boundaries thereof or any consolidation of such districts, declaring the urgency thereof and providing that it shall take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 1048: By Senator Busch—An act to amend Section 226 of the Civil Code, relating to adoption of children.

Referred to Committee on Judiciary.

Senate Bill No. 1049: By Senators Collier and Powers—An act to amend Sections 5225, 5226, and 5241 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Business and Professions.

Senate Bill No. 1050: By Senator Kraft—An act to amend Section 1515 of the Penal Code, relating to testimony of witnesses at inquest.

Referred to Committee on Judiciary.

Senate Bill No. 1051: By Senator Kraft—An act to amend Section 4300f of the Political Code, relating to fees of jurors.

Referred to Committee on Judiciary.

Senate Bill No. 1052: By Senator Kraft—An act making an appropriation for the protection of an ocean beach in the City of San Diego.

Referred to Committee on Natural Resources.

Senate Bill No. 1053: By Senator Hatfield—An act to add Article 2.5 to Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure, establishing a system of county courts, providing for the organization and

jurisdiction of such courts and prescribing the terms and conditions upon which and the extent to which such courts shall supersede existing inferior courts.

Referred to Committee on Judiciary.

Senate Bill No. 1054: By Senators Kraft, DeLap, and Brown—An act to amend Sections 15002, 15013, 15015, 15251, 15255, 15294, 15295, 16100, the heading of Chapter 13, Part 1, Division 13, Sections 16400, 16401, 16402, 16403, 16404, 16405, 16409, 16410, 16411, 16412, 16413, 16416, 16420, 16501, 16502, 16503, 16522, 16523, 16524, 16526, 16527, 16602, 16679, 16720, 16800, 17152, 17154, 17155, 17283, 17284, 17303, 17304, 17321, 17324, 17482, 17551, 17704, and 17811 of the Health and Safety Code; to add Sections 15016.5, 15251.5, 15251.7, 17255.5, 15905, Article 3 (comprising Section 16105), Chapter 11, Part 1, Division 13, Section 16266.5, Article heading 1, Chapter 13, Part 1, Division 13, Sections 16404.5, 16404.7, 16405.5, 16412.5, 16414.5, Article 2, 3, and 4 (comprising Sections 16430 to 16471, inclusive), Chapter 13, Part 1, Division 13, Chapter 14.5 (comprising Sections 16710 to 16713.2), Part 1, Division 13, Section 16720.5, Chapter 15.5 (comprising Section 16720.5), Part 1, Division 13, Sections 16743.5, 16743.7, an Article heading 1 to Chapter 17, Part 1, Division 13, Article 2 (comprising Sections 16778 to 16778.10, inclusive), Chapter 17, Part 1, Division 13, and Sections 16906, 17155.5, 17324.5, 17467, 17702.5, and 17830 thereto; and to repeal Sections 16525, 16721, and 17253 thereof, relating to the State Housing Act.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1055: By Senator Kraft—An act to add Section 1204 to the Labor Code, relating to the employment of women and minors.

Referred to Committee on Labor.

Senate Bill No. 1056: By Senator Kraft—An act to add Section 21251.1 to the Government Code, relating to the State Employees' Retirement System and to the benefits payable thereunder with respect to certain classes of members thereof.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1057: By Senator Kraft—An act to amend Section 2458 of the Business and Professions Code, relating to fees under the chapter on medicine and surgery.

Referred to Committee on Business and Professions.

Senate Bill No. 1058: By Senator Kraft—An act to amend Section 2011 of the Business and Professions Code, relating to instruction requirements to practice medicine and surgery.

Referred to Committee on Business and Professions.

Senate Bill No. 1059: By Senator Kraft—An act to add Section 2141.5 to the Business and Professions Code, relating to offenses against the chapter on medicine and surgery.

Referred to Committee on Business and Professions.

Senate Bill No. 1060: By Senator Kraft—An act to amend Section 2117 of the Business and Professions Code, relating to the Board of Medical Examiners.

Referred to Committee on Business and Professions.

Senate Bill No. 1061: By Senator Kraft—An act to add Section 2142.10 to the Business and Professions Code, relating to the use of the word "physician."

Referred to Committee on Business and Professions.

Senate Bill No. 1062: By Senator Kraft—An act to amend Section 2116 of the Business and Professions Code, relating to employees of the Board of Medical Examiners.

Referred to Committee on Business and Professions.

Senate Bill No. 1063: By Senator Kraft—An act to amend Section 2450 of the Business and Professions Code, relating to the payment of the annual tax and registration fee for physicians and surgeons, drugless practitioners, chiroprodists and midwives.

Referred to Committee on Business and Professions.

Senate Bill No. 1064: By Senator Kraft—An act to amend Section 2174 of the Business and Professions Code, relating to disapproval of schools under the chapter on medicine and surgery.

Referred to Committee on Business and Professions.

Senate Bill No. 1065: By Senator Kraft—An act to amend Section 2114 of the Business and Professions Code, relating to the publication of a directory.

Referred to Committee on Business and Professions.

Senate Bill No. 1066: By Senator Kraft—An act to add Section 2360.5 to the Business and Professions Code, relating to the immunity of witnesses in disciplinary proceedings with respect to the practice of medicine.

Referred to Committee on Business and Professions.

Senate Bill No. 1067: By Senator Kraft—An act to amend Section 2376.5 of the Business and Professions Code, relating to the restoration of certificates to practice medicine.

Referred to Committee on Business and Professions.

Senate Bill No. 1068: By Senator Kraft—An act to add Section 2141.10 to the Business and Professions Code, relating to post mortem examinations.

Referred to Committee on Business and Professions.

Senate Bill No. 1069: By Senator Kraft—An act to amend Section 2384 of the Business and Professions Code, relating to disciplinary actions under the chapter on medicine and surgery.

Referred to Committee on Business and Professions.

Senate Bill No. 1070: By Senator Kraft—An act to add Section 2391.5 to the Business and Professions Code, relating to unprofessional conduct under the chapter on medicine and surgery.

Referred to Committee on Business and Professions.

Senate Bill No. 1071: By Senator Kraft—An act to amend Section 2390 of the Business and Professions Code, relating to unprofessional conduct under the chapter on medicine and surgery.

Referred to Committee on Business and Professions.

Senate Bill No. 1072: By Senator McBride—An act to amend Sections 730, 735, and 736, and to repeal Section 808 of the Insurance Code, relating to examinations of insurers; prescribing the manner and source of payment of the costs and expenses of such examinations; providing for the transfer to the Insurance Examination Fund which it creates of a sum of money in the General Fund in the State Treasury; making an appropriation of such money so transferred for defraying the expense of such examinations during the fiscal year commencing July 1, 1947; and prescribing that this act shall take effect immediately.

Referred to Committee on Financial Institutions.

Senate Bill No. 1073: By Senator McBride—An act to add Section 11603.5 to the Insurance Code, relating to the capital requirements of reserve basis insurers.

Referred to Committee on Financial Institutions.

Senate Bill No. 1074: By Senator McBride—An act to add Section 6.11 to the Alcoholic Beverage Control Act, relating to clubs, fraternal organizations, and hall or building associations thereof, and providing for the issuance of on-sale licenses carrying distilled spirits privileges to such organizations.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1075: By Senators McBride and Swing—An act to add Section 6.15 to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1076: By Senator McBride—An act to add Section 145.5 to the Vehicle Code, relating to the registration of special vehicles and altered, remodeled or reconstructed vehicles.

Referred to Committee on Transportation.

Senate Bill No. 1077: By Senator McBride—An act to amend Sections 12624 and 12626 of the Revenue and Taxation Code, relating to insurance taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1078: By Senator McBride—An act to amend Section 1500 of the Insurance Code, relating to the appointment, licensing, qualification and regulation of insurance agents, brokers and solicitors.

Referred to Committee on Financial Institutions.

Senate Bill No. 1079: By Senator McBride—An act to add Section 1104.1 to, and to amend Sections 1106 and 1282 of, the Insurance Code, relating to insurers.

Referred to Committee on Financial Institutions.

Senate Bill No. 1080: By Senator McBride—An act to amend Sections 1061, 1431, 1771, 3041, 3049, and 11524 of the Insurance Code, all relating to examinations made by the Insurance Commissioner.

Referred to Committee on Financial Institutions.

Senate Bill No. 1081: By Senator McBride—An act to amend Sections 1324, 1325, 1329, and 1530, and to repeal Section 1331 of the Insurance Code, relating to reciprocal or interinsurance exchanges.

Referred to Committee on Financial Institutions.

Senate Bill No. 1082: By Senator McBride—An act to amend Section 1731 of the Insurance Code, relating to the suspension, revocation or denial of insurance licenses.

Referred to Committee on Financial Institutions.

Senate Bill No. 1083: By Senator McBride—An act to amend Section 1813 of the Insurance Code, relating to suspension, revocation or denial of bail licenses.

Referred to Committee on Financial Institutions.

Senate Bill No. 1084: By Senator McBride—An act to amend Section 451 of the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1085: By Senator McBride—An act to amend Sections 451 and 455 of the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1086: By Senator Dilworth—An act to amend Section 4941 of the Education Code, relating to the governing boards of unified school districts.

Referred to Committee on Education.

Senate Bill No. 1087: By Senator Dilworth—An act to add Section 4953 to the Education Code, relating to the governing boards of unified school districts.

Referred to Committee on Education.

Senate Bill No. 1088: By Senator McBride—An act to amend Section 18 of the Personal Property Brokers Act, as revised by Chapters 952 and 1044 of the Statutes of 1939, as amended, relating to the duties of licensees.

Referred to Committee on Financial Institutions.

Senate Bill No. 1089: By Senator Desmond—An act to amend Section 16471 of the Government Code, relating to investment of surplus state funds, and creating the Surplus Money Investment Fund.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1090: By Senator Desmond—An act to amend Section 20105 of the Government Code, pertaining to the administration of the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1091: By Senator Desmond—An act to amend Section 11009 of the Government Code, relating to investments of funds and the sale or exchange of securities by state agencies and the powers of the Department of Finance.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1092: By Senator Desmond—An act to amend Section 8525 of the Business and Professions Code, relating to guarantees for pest control work.

Referred to Committee on Business and Professions.

Senate Bill No. 1093: By Senator Desmond—An act to amend Sections 3819 and 3929 of the Elections Code, relating to elections.

Referred to Committee on Elections.

Senate Bill No. 1094: By Senator Desmond—An act to amend Section 208 of the Unemployment Insurance Act, relating to unemployment compensation disability benefits.

Referred to Committee on Social Welfare.

Senate Bill No. 1095: By Senator Desmond—An act to amend Section 56 of the Unemployment Insurance Act, relating to trade disputes.

Referred to Committee on Social Welfare.

Senate Bill No. 1096: By Senator Desmond—An act to amend Section 67 of the Unemployment Insurance Act, relating to claims for benefits.

Referred to Committee on Social Welfare.

Senate Bill No. 1097: By Senator Desmond—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1098: By Senator Desmond—An act to amend Section 41.5 of the Unemployment Insurance Act, relating to employing units.

Referred to Committee on Social Welfare.

Senate Bill No. 1099: By Senator Desmond—An act to add Section 7.6 to the Unemployment Insurance Act, relating to excluded employments under said act.

Referred to Committee on Social Welfare.

Senate Bill No. 1100: By Senator Desmond—An act to add a new Section 451.1 to the California Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1101: By Senator Desmond—An act to amend Section 208 of the California Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1102: By Senator Desmond—An act to amend Section 41.3 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1103: By Senator Desmond—An act to amend Section 9.2 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1104: By Senator Desmond—An act to amend Section 208 of Article 10 of the Unemployment Insurance Act, relating to unemployment compensation disability benefits.

Referred to Committee on Social Welfare.

Senate Bill No. 1105: By Senator Desmond—An act to amend Section 450 of Article 10 of the Unemployment Insurance Act, relating to unemployment compensation disability benefits.

Referred to Committee on Social Welfare.

Senate Bill No. 1106: By Senator Desmond—An act to amend Section 40 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1107: By Senator Desmond—An act to amend Section 736 of the Agricultural Code, relating to consolidation of marketing areas.

Referred to Committee on Agriculture.

Senate Bill No. 1108: By Senator Desmond—An act to amend Section 737.6-2 of the Agricultural Code, relating to fluid milk testing.

Referred to Committee on Agriculture.

Senate Bill No. 1109: By Senator Williams—An act to add Sections 1127, 1128 and 1129 to the Labor Code, relating to collective bargaining.

Referred to Committee on Labor.

Senate Bill No. 1110: By Senator Kraft—An act to amend Section 252 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Benefits and physicians' certificates thereunder.

Referred to Committee on Social Welfare.

Senate Bill No. 1111: By Senator Dillinger—An act to amend Sections 8.5, 45.5, 45.8, 45.9, 45.10, and 64 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1112: By Senator Dillinger—An act to amend Section 41 of the Unemployment Insurance Act, relating to experience rating.

Referred to Committee on Social Welfare.

Senate Bill No. 1113: By Senator Dillinger—An act to amend Sections 23 and 308 of the Unemployment Insurance Act, relating to the revolving funds in the Department of Employment, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Senate Bill No. 1114: By Senator Carter—An act to add Section 5711 to the Labor Code, relating to proof of pneumoconiosis.

Referred to Committee on Labor.

Senate Bill No. 1115: By Senator Jespersen—An act to add Section 26.1 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys, plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to a re-appropriation of money, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1116: By Senator Weybret—An act conveying certain tidelands, lands lying under inland navigable waters, swamp and overflow lands, situate in the old Salinas River Channel, to the Moss Landing Harbor District, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Transportation.

Senate Bill No. 1117: By Senators Cunningham and Busch—An act to add Title 3 and Sections 500036 to 500040, inclusive, to the Government Code, to consolidate and revise the law relating to the organization, operation, and maintenance of a system of state and local government, and to repeal acts and parts of acts specified herein.

Referred to Committee on Local Government.

ADJOURNMENT

At 2.30 p.m., on motion of Senator Deuel, the President declared the Senate adjourned until 10.30 a.m., Monday, February 3, 1947, out of respect to the memory of the late Honorable James B. Holohan.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY

TWENTY-NINTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, February 3, 1947

The Senate met at 10.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Sutton, Swing, Tenney, Watson, and Williams—33.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Ward, on motion of Senator Powers, due to illness.

Senator Judah, on motion of Senator Powers, due to legislative business.

Senator Parkman, on motion of Senator Powers, due to legislative business.

Senator Slater, on motion of Senator Powers, due to legislative business.

Senator Weybret, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Watson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Lelia Eastman, Chairman of Orange County Republican Central Committee.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James L. King and Harold King of San Bernardino.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 17

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 31

Senate Bill No. 595

Senate Bill No. 56

Senate Bill No. 191

Senate Bill No. 565

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 31

Assembly Joint Resolution No. 16

Assembly Joint Resolution No. 17

Assembly Joint Resolution No. 19

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Concurrent Resolution No. 31—Relative to the continuance of the Joint Committee on the Housing Emergency.

Referred to Committee on Rules.

Assembly Joint Resolution No. 16—Relative to the procurement of federal surplus property for the Veterans' Home of California.

Referred to Committee on Rules.

Assembly Joint Resolution No. 17—Relative to federal payments for disabled veterans in veterans homes.

Referred to Committee on Rules.

Assembly Joint Resolution No. 19—Relative to requesting President Harry S. Truman to appoint a resident of California to the United States Maritime Commission.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 747

Assembly Bill No. 811

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 747—An act to add Section 2042 to the Penal Code, relating to escapes from the California Vocational Institution, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 811—An act relating to the employment of prisoners confined in the California State Prison at San Quentin, and declaring the urgency thereof.

Referred to Committee on Institutions.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 29—An act making an appropriation to the Department of Finance for cost of advertising Veterans' Bond Act of 1946, to take effect immediately;

Senate Bill No. 201—An act to amend Sections 18540 and 18973 of the Government Code, relating to veterans and civil service credits for military service, and declaring the urgency thereof to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of January, 1947, at 3 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 21

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Education

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Concurrent Resolution No. 30

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 5; absent 4.

SLATER, Chairman

Above reported resolution ordered to third reading.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Concurrent Resolution No. 19

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 12; committee vote: Ayes 6; absent 6.

KEATING, Chairman

Above reported resolution ordered to third reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Assembly Bill No. 374

has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 144

And reports the same correctly engrossed.

POWERS, Chairman

Chief Assistant Secretary Cleve V. Taylor at the Desk**INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS**

The following bills were introduced, and read the first time:

Senate Bill No. 1118: By Senator Brown—An act making an appropriation to the Fish and Game Commission for the Mt. Whitney Fish Hatchery.

Referred to Committee on Fish and Game.

Senate Bill No. 1119: By Senator Brown—An act making an appropriation to the Fish and Game Commission for the Black Rock Fish Rearing Pond.

Referred to Committee on Fish and Game.

Senate Bill No. 1120: By Senator Brown—An act making an appropriation to the Fish and Game Commission for a rearing pond at Fish Springs Game Farm.

Referred to Committee on Fish and Game.

Senate Bill No. 1121: By Senator Brown—An act making an appropriation to the Fish and Game Commission for the Hat Creek Fish Hatchery and rearing ponds in Mono County.

Referred to Committee on Fish and Game.

Senate Bill No. 1122: By Senator Collier—An act to amend Section 9255 of the Revenue and Taxation Code, relating to the confidential character of information obtained in the administration of the use fuel tax.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1123: By Senator Collier—An act to amend Section 7726 of the Revenue and Taxation Code, relating to the taxability of sales of motor vehicle fuel by unlicensed distributors.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1124: By Senator Collier—An act to add Section 10406 to the Revenue and Taxation Code, relating to the confidential

character of information obtained in the administration of the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1125: By Senator Collier—An act to amend Section 19626 of the Business and Professions Code, relating to the allocation of moneys in the Fair and Exposition Fund.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1126: By Senator Collier—An act adding Chapter 3.1 to Division 10 of the Education Code, relating to the establishment of the Mt. Shasta Polytechnic School.

Referred to Committee on Education.

Senate Bill No. 1127: By Senator Collier—An act to amend Section 737h of the Political Code, relating to salaries of judges of the superior court.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1128: By Senator DeLap—An act authorizing the Director of Natural Resources, with the approval of the State Park Commission, to convey by quitclaim deed to Central Pacific Railway Company, a corporation, a certain parcel of land in Castle Crag State Park, County of Shasta, State of California, in exchange for a quitclaim deed from said railway company to the State of a certain parcel of land in the County of Sonoma, State of California.

Referred to Committee on Natural Resources

Senate Bill No. 1129: By Senator DeLap—An act authorizing the Director of Natural Resources, with the approval of the State Park Commission, to exchange certain lands in the County of Santa Cruz, State of California.

Referred to Committee on Natural Resources.

Senate Bill No. 1130: By Senator Hatfield—An act to amend Section 1299.19 of the Agricultural Code, relating to the processing of agricultural products.

Referred to Committee on Agriculture.

Senate Bill No. 1131: By Senator Hatfield—An act to amend Section 22 of the Agricultural Code, relating to the powers of the Director of Agriculture.

Referred to Committee on Agriculture.

Senate Bill No. 1132: By Senator Hatfield—An act to amend Sections 89.5 and 89.6 of the Agricultural Code, relating to the power and duties of district agricultural associations, and the use of county fair property.

Referred to Committee on Agriculture.

Senate Bill No. 1133: By Senator Hatfield—An act to amend Section 105 of the Agricultural Code, relating to plant quarantine and pest control.

Referred to Committee on Agriculture.

Senate Bill No. 1134: By Senator Hatfield—An act to amend Section 205 of the Agricultural Code, relating to animal diseases and quarantine.

Referred to Committee on Agriculture.

Senate Bill No. 1135: By Senator Hatfield—An act to amend Section 277 of the Agricultural Code, relating to bees and diseases thereof.

Referred to Committee on Agriculture.

Senate Bill No. 1136: By Senator Hatfield—An act to add Section 307.5 to the Agricultural Code, relating to meat inspection and the effect on the provisions of said code relating thereto.

Referred to Committee on Agriculture.

Senate Bill No. 1137: By Senator Hatfield—An act to amend Section 338 of the Agricultural Code, relating to marks and brands on bovine animals.

Referred to Committee on Agriculture.

Senate Bill No. 1138: By Senator Hatfield—An act to amend Section 396 of the Agricultural Code, relating to estrays.

Referred to Committee on Agriculture.

Senate Bill No. 1139: By Senator Hatfield—An act to amend Section 453.1 of the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Agriculture.

Senate Bill No. 1140: By Senator Hatfield—An act to amend Section 735.7 of the Agricultural Code, relating to stabilization and marketing plans for fluid milk and fluid cream.

Referred to Committee on Agriculture.

Senate Bill No. 1141: By Senator Hatfield—An act to amend Section 736.10 of the Agricultural Code, relating to minimum prices for fluid milk and fluid cream.

Referred to Committee on Agriculture.

Senate Bill No. 1142: By Senator Hatfield—An act to amend Section 775 of the Agricultural Code, relating to fruits, nuts, and vegetables.

Referred to Committee on Agriculture.

Senate Bill No. 1143: By Senator Hatfield—An act to amend Section 842.4 of the Agricultural Code, relating to honey.

Referred to Committee on Agriculture.

Senate Bill No. 1144: By Senator Hatfield—An act to amend Section 910.5 of the Agricultural Code, relating to seeds.

Referred to Committee on Agriculture.

Senate Bill No. 1145: By Senator Hatfield—An act to amend Section 1027 of the Agricultural Code, relating to fertilizers.

Referred to Committee on Agriculture.

Senate Bill No. 1146: By Senator Hatfield—An act to amend Section 1062 of the Agricultural Code, relating to economic poisons.

Referred to Committee on Agriculture.

Senate Bill No. 1147: By Senator Hatfield—An act to amend Section 1087 of the Agricultural Code, relating to commercial feeding stuffs.

Referred to Committee on Agriculture.

Senate Bill No. 1148: By Senator Hatfield—An act to amend Section 1106.1 of the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

Senate Bill No. 1149: By Senator Hatfield—An act to amend Section 1148.2 of the Agricultural Code, relating to nursery stock.

Referred to Committee on Agriculture.

Senate Bill No. 1150: By Senator Hatfield—An act to amend Section 1171 of the Agricultural Code, relating to dairy produce exchanges.

Referred to Committee on Agriculture.

Senate Bill No. 1151: By Senator Hatfield—An act to amend Section 1201 of the Agricultural Code, relating to nonprofit cooperative associations.

Referred to Committee on Agriculture.

Senate Bill No. 1152: By Senator Hatfield—An act to amend Section 1246 of the Agricultural Code, relating to agricultural warehouses.

Referred to Committee on Agriculture.

Senate Bill No. 1153: By Senator Hatfield—An act to amend Section 1260.25 of the Agricultural Code, relating to grain warehouse inspection.

Referred to Committee on Agriculture.

Senate Bill No. 1154: By Senator Hatfield—An act to amend Section 1272.5 of the Agricultural Code, relating to the marketing of agricultural products.

Referred to Committee on Agriculture.

Senate Bill No. 1155: By Senator Rich—An act relating to the disposition of moneys received by the State Controller as restitutions from former recipients of unemployment relief under the California Unemployment Relief Act of 1935, abolishing the State Controller S.R.A. Restitutions Fund and transferring the balance therein to the General Fund, and repealing an act entitled "An act creating a special fund in the State Treasury for the deposit of restitutions received by the State from former recipients of relief under the provisions of the 'California Unemployment Relief Act of 1935,' making a transfer of funds to this fund, making an appropriation to the State Controller for continued collection of restitutions, to take effect immediately," approved January 31, 1943.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1156: By Senators Williams, Watson, and Sutton—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act.

Referred to Committee on Social Welfare.

Senate Bill No. 1157: By Senator Mayo—An act to amend Section 1001 of the Government Code, relating to civil executive officers.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1158: By Senator Mayo—An act to add Section 1268.5 to the Code of Civil Procedure, relating to the procedure of escheating and vesting property in the State.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1159: By Senator Keating—An act making an appropriation to the Department of Social Welfare for assisting in the maintenance of needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 1160: By Senator Keating—An act to add Article 3, consisting of Section 13160, to Chapter 1 of Part 2 of Division 12 of the Health and Safety Code, relating to electrical contractors.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1161: By Senator DeLap—An act to add Article 6 to Chapter 2 of Division 4 of the Welfare and Institutions Code, relating to state financial participation in indigent aid, prescribing the conditions thereof, making an appropriation therefor, and declaring the urgency thereof.

Referred to Committee on Social Welfare.

Senate Bill No. 1162: By Senator DeLap—An act to amend Section 9203 of the Public Resources Code, relating to elections in soil conservation districts.

Referred to Committee on Local Government.

Senate Bill No. 1163: By Senator DeLap—An act to amend Section 9200 of the Public Resources Code, relating to elections in soil conservation districts.

Referred to Committee on Local Government.

Senate Bill No. 1164: By Senator DeLap—An act to add Section 9203.5 to the Public Resources Code, relating to elections in soil conservation districts.

Referred to Committee on Local Government.

Senate Bill No. 1165: By Senator DeLap—An act to amend Section 1331 of the Streets and Highways Code, relating to the county road commissioner.

Referred to Committee on Transportation.

Senate Bill No. 1166: By Senator DeLap—An act to amend Section 721 of the Fish and Game Code, relating to catfish.

Referred to Committee on Fish and Game.

Senate Bill No. 1167: By Senator Judah—An act to add Chapter 8 to Division 10 of the Education Code, establishing California academies for dependent, neglected, and problem children who require special care and supervision, and providing for the government and administration thereof.

Referred to Committee on Education.

Senate Bill No. 1168: By Senator Sutton—An act to amend Section 795.1 of the Agricultural Code, relating to oranges.

Referred to Committee on Agriculture.

Senate Bill No. 1169: By Senator Dilworth—An act to amend Section 4300c of the Political Code, and to amend Section 27363 and to add Section 27380.5 to the Government Code, relating to recorder's fees.

Referred to Committee on Local Government.

Senate Bill No. 1170: By Senator Dilworth—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, relating to escrows.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1171: By Senator Dilworth—An act to amend Section 3022 of the Civil Code, relating to giving of notice of assignment of accounts receivable.

Referred to Committee on Local Government.

Senate Bill No. 1172: By Senator Dilworth—An act to amend Section 27322 of the Government Code, relating to county recorders.

Referred to Committee on Local Government.

Senate Bill No. 1173: By Senators Ward and Hulse—An act to amend Section 6359.5 of the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1174: By Senator Swing—An act to amend Sections 19484 and 19538 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1175: By Senator Mayo—An act to add Section 270.5 to the Penal Code, relating to the liability of a father for support of a minor child, where the parents are divorced.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, January 31, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred: Assembly Bill No. 402

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

DILLINGER, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Assembly Concurrent Resolution No. 23

Has had the same under consideration, and reports the same back with the recommendation: Be adopted, and that there be printed in the Journal the Proposed Expenditures for Capital Outlay attached hereto.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported resolution ordered to third reading.

PROPOSED EXPENDITURES FOR CAPITAL OUTLAY

Construction, Repair, Improvements, and Equipment for the Period
March 4, 1946, to June 30, 1947, Under Chapter 73, Statutes 1946

State Park Fund

<i>Parks</i>	<i>Program January 3, 1946</i>	<i>Tentative obligations</i>	<i>Fixed obligations</i>	<i>Revised total</i>	<i>Reason</i>
Anza -----	\$41,900				
1 residence -----		\$11,000	-----	\$11,000	1
1 garage -----		1,200	-----	1,200	1
Water system -----		27,340	-----	27,340	4
				\$39,540	
Armstrong Grove -----	\$28,400				
1 residence -----		\$11,000	-----	\$11,000	1
1 garage -----		1,200	-----	1,200	1
13 picnic units -----			\$2,000	2,000	-
1 comfort station -----		3,000	-----	3,000	1
1 combination bldg. -----		4,000	-----	4,000	1
Water system -----		6,500	-----	6,500	-
Electric power lines -----		1,400	-----	1,400	-
Debris clearing -----			2,000	2,000	2
Culverts-highways -----			1,100	1,100	2
Sewage disposal -----				1,000	2
				\$33,200	
Big Basin -----	\$144,900				
4 residences -----		\$44,000	-----	\$44,000	1
3 garages -----		3,600	-----	3,600	1
2 water systems -----		78,000	\$6,500	84,500	4
Electric power line -----			1,500	1,500	Reduction
Roads and parking -----			8,970	12,000	-
				\$145,600	
Big Sur -----	\$113,500				
3 residences -----		\$33,000	-----	\$33,000	1
3 garages -----		3,600	-----	3,600	1
45 picnic units -----			\$5,000	5,000	-
Water system -----				25,000	4
Roads and parking and bridge -----		54,650	3,000	57,650	4
Diversion dams, ford (water supply) -----		50,000	-----	50,000	1
				\$174,250	
Calaveras Big Trees -----	\$30,500				
2 residences -----		\$22,000	-----	\$22,000	1
1 garage -----		1,200	-----	1,200	1
Water system -----			\$8,800	11,500	4
Roads and parking -----		35,100	-----	35,100	2
Clearing channel -----		3,500	-----	3,500	2
				\$73,300	
Castle Crags -----	\$31,100				
Roads and parking -----		\$10,000	-----	\$10,000	4
Historic building restoration -----			\$2,000	2,000	Reduction
1 bridge -----		5,500	-----	5,500	4
				\$17,500	

PROPOSED EXPENDITURES FOR CAPITAL OUTLAY—Continued

State Park Fund—Continued

<i>Parks</i>	<i>Program January 3, 1946</i>	<i>Tentative obligations</i>	<i>Fixed obligations</i>	<i>Revised total</i>	<i>Reason</i>
Cuyamaca Rancho -----	\$78,800				
2 residences -----		\$22,000		\$22,000	1
2 garages -----		2,400		2,400	1
13 picnic units -----			\$2,000	2,000	-
Water supply -----		30,000		30,000	4
Roads and parking -----			4,300	4,300	4
Fire suppression building -----				5,000	Reduction
Revamping entrance roads -----					
				\$65,700	
Donner Monument -----	\$49,700				
Roads and parking -----			\$250	\$250	Reduction
1 museum and administration -----					
Water system -----		\$12,500		12,500	
				\$12,750	
D. L. Bliss -----	\$33,100				
2 residences -----		\$22,000		\$22,000	1
2 garages -----		2,400		2,400	1
40 camp and trailer units -----					2
Water system -----		1,000		1,000	Reduction
Electric power lines -----				1,600	-
Roads and parking -----			\$5,420	5,420	4
				\$32,520	
Fort Ross -----	\$8,000				
Fremont Peak -----	2,000				
Water system -----		\$2,000		\$2,000	2
Fencing and survey -----		3,000		3,000	2
				\$5,000	
Gold Discovery Site -----	\$49,600				
(Marshall Monument)					
General highway develop- ment -----					-
Hickey Grove -----					
Water system -----				\$10,000	3
Humboldt Redwoods					
Bull Creek Flat -----					
Roads and parking -----		\$1,400		\$1,400	2
Channel improvement -----			\$18,000	18,000	2
				\$19,400	
Burlington Headquarters -----	\$98,200				
Water system -----		\$8,500		\$8,500	-
Roads and parking -----		7,000		7,000	1
				\$15,500	
Dyerville -----					
Water system -----		\$5,500		6,500	2
Richardson Grove -----	\$103,100				
3 residences -----		\$33,000		\$33,000	1
2 garages -----		2,400		2,400	1
Water system -----		15,000		15,000	4
Roads and parking -----		8,000		8,000	-
Sewage system -----		45,000		45,000	-
				\$103,400	
Stephens Grove -----	\$16,600				
Water system -----			\$3,400	\$3,400	-
Electric power -----				5,000	2
				\$8,400	

PROPOSED EXPENDITURES FOR CAPITAL OUTLAY—Continued

State Park Fund—Continued

<i>Parks</i>	<i>Program January 3, 1946</i>	<i>Tentative obligations</i>	<i>Fixed obligations</i>	<i>Revised total</i>	<i>Reason</i>
Williams Grove -----	\$9,800				
1 residence -----		\$11,000		\$11,000	1
2 garages -----		2,400		2,400	1
Water system -----		12,800		12,800	2
Sewage disposal -----				1,800	-
				\$28,000	
La Purisima -----	\$18,000				
1 residence -----		\$11,000		\$11,000	1
1 garage and 1 shelter -----		1,585		1,585	1 & 2
Water supply -----				5,000	2
Telephone line -----				1,000	2
Historical building restoration -----			\$11,040	11,040	2
Drainage -----				5,000	-
				\$34,625	
McArthur-Burney Falls ----	\$29,700				
1 residence -----		\$11,000		\$11,000	1
1 garage -----		1,200		1,200	1
Roads and parking -----		14,375		14,375	2
				\$26,575	
Mill Creek -----					
Water system -----				\$2,000	3
Roads and parking -----		\$3,000		3,000	3
				\$5,000	
Monterey Structures -----	\$52,800				
Stevenson House -----					
Electric wiring -----				\$400	
First Theatre -----					
Residence and garage -----				\$13,000	-
Repairs -----				500	-
Spray system -----				3,000	-
Heating system -----				1,800	-
Electric system -----				700	-
Water system -----				600	-
Old Custom House -----					
Floor -----				3,000	-
Roof -----				3,000	-
Electricity -----				400	-
Heating Unit -----				1,600	-
				\$28,000	
Morro Bay -----	\$46,100				
3 residences -----		\$33,000		\$33,000	1
3 garages -----		3,600		3,600	1
7 trailer units -----			\$1,000	1,000	-
Roads and parking -----		32,000		36,100	4
				\$73,700	
Mt. Diablo -----	\$70,000				
3 residences -----		\$33,000		\$33,000	1
3 garages -----		3,600		3,600	1
Water system -----				5,000	1
Roads and parking -----			\$9,270	9,270	2
1 museum -----		25,000		25,000	1
				\$75,870	
Mt. San Jacinto -----	\$35,700				
1 residence -----		\$11,000		\$11,000	1
1 garage -----		1,200		1,200	1
10 camp and trailer units -----			\$1,500	1,500	-
1 sewage disposal -----				500	2
Surveying and fencing -----			2,700	2,700	-
Roads and parking -----			800	800	-
				\$17,700	Reduction

PROPOSED EXPENDITURES FOR CAPITAL OUTLAY—Continued

State Park Fund—Continued

<i>Parks</i>	<i>Program January 3, 1946</i>	<i>Tentative obligations</i>	<i>Fixed obligations</i>	<i>Revised total</i>	<i>Reason</i>
Mt. Tamalpais -----	\$29,800				
1 residence -----		\$11,000		\$11,000	1
1 garage -----		1,200		1,200	1
20 picnic units -----			\$3,750	3,750	1
1 water system -----		6,000	1,500	7,500	1
2 power lines -----			2,756	2,756	1
Roads and parking -----			26,230	26,230	4
				\$52,436	
Old Shasta -----	\$13,000				
Historical building restoration -----		\$950	\$950	\$2,000	Reduction
Palomar -----	\$50,400				
1 residence -----			\$11,000	\$11,000	1
1 garage -----		\$1,200		1,200	1
20 camp and trailer units -----			3,000	3,000	1
1 combination building -----		4,000		4,000	1
1 water system -----		25,000	1,000	26,000	2
1 sewage system -----		2,800		2,800	-
Electric power lines -----				800	Reduction
Roads and parking -----			2,850	2,850	Reduction
Survey and fencing -----			6,000	6,000	-
				\$57,650	
Patrick's Point -----	\$32,500				
1 residence -----		\$11,000		\$11,000	1
1 garage -----		1,200		1,200	1
13 camp and trailer units -----			\$2,000	2,000	-
7 picnic units -----			1,000	1,000	-
1 water system -----		15,000		15,000	4
Roads and parking -----			2,100	2,100	2
Surveying and fencing -----			950	1,500	-
Incinerator -----				3,500	2
				\$37,300	
Pio Pico -----	\$16,700				
1 residence -----		\$11,000		\$11,000	1
1 garage -----		1,200		1,200	1
				\$12,200	
Portola -----	\$114,000				
2 residences -----		\$22,000		\$22,000	1
2 garages -----		2,400		2,400	1
22 camp and trailer units -----			\$3,500	3,500	-
Water system -----		50,000		50,000	4
Electric power line -----			3,500	3,500	-
1 bridge -----			3,500	3,500	2
Roads and parking -----		19,850	4,690	24,540	4
				\$109,440	
Prairie Creek -----	\$81,250				
2 residences -----		\$22,000		\$22,000	1
2 garages -----		2,400		2,400	1
Water system -----		20,000		20,000	4
Roads and parking -----			\$7,900	7,900	Reduction
				\$52,300	
Point Lobos -----	\$14,500				
Roads and parking -----		\$20,770		\$20,770	4
San Juan Bautista -----	\$55,900				
1 residence -----		\$11,000		\$11,000	1
1 garage -----		1,200		1,200	1
1 comfort station -----		3,000		3,000	1
Water system -----		1,000		1,000	2
Landscaping and grading -----		5,000		5,000	1
Historical building restoration -----		32,464		32,464	Reduction
				\$53,664	

PROPOSED EXPENDITURES FOR CAPITAL OUTLAY—Continued

State Park Fund—Continued

<i>Parks</i>	<i>Program January 3, 1946</i>	<i>Tentative obligations</i>	<i>Fixed obligations</i>	<i>Revised total</i>	<i>Reason</i>
Sonoma Mission-----	\$16,500	-----	-----	-----	-----
1 residence-----	-----	-----	\$13,000	\$13,000	{ 1
1 garage-----	-----	-----	-----	-----	{ 1
Historical building restoration-----	-----	\$6,000	-----	6,000	-
				\$19,000	
Tahoe Campgrounds-----	\$16,000	-----	-----	-----	-----
1 residence-----	-----	\$11,000	-----	\$11,000	1
1 garage-----	-----	1,200	-----	1,200	1
Combination building-----	-----	-----	-----	4,000	1
Water system-----	-----	15,500	\$950	16,450	Reduction
Roads and parking-----	-----	-----	3,640	3,640	2
				\$36,290	
Vallejo home-----	\$16,600	-----	-----	-----	-----
1 residence-----	-----	-----	\$13,765	\$13,765	{ 1
1 garage-----	-----	-----	-----	-----	{ 1
1 service area-----	-----	-----	-----	-----	{ 1
1 sewage system-----	-----	-----	8,535	8,535	{ -
Roads and parking-----	-----	-----	-----	-----	-----
				\$22,300	
Van Duzen-----	\$56,300	-----	-----	-----	-----
1 residence-----	-----	\$11,000	-----	\$11,000	1
1 garage-----	-----	1,200	-----	1,200	1
1 Water system-----	-----	16,500	-----	16,500	4
Roads and parking-----	-----	-----	\$3,000	3,000	2
				\$31,700	
Will Rogers Park-----	\$47,800	-----	-----	-----	-----
3 residences-----	-----	\$33,000	-----	\$33,000	1
3 garages-----	-----	3,600	-----	3,600	1
Roads and parking-----	-----	7,500	\$36,750	23,500	4
				20,750	
Trails-----	-----	-----	-----	500	2
Wall-----	-----	-----	-----	3,600	2
				\$84,950	
Total-----				\$1,643,930	
UNALLOCATED FOR CONTINGENCIES-----				30,820	
				\$1,674,750	

PROPOSED EXPENDITURES FOR CAPITAL OUTLAY

Construction, Repair, Improvements, and Equipment for the Period March 4, 1946,
to June 30, 1947, Under Chapter 74, Statutes of 1946

State Beach Fund

Beach	Program January 3, 1946	Tentative obligations	Fixed obligations	Revised total	Reason
Alamitos -----	\$12,000	-----	-----	-----	-
Grading and landscaping-----	-----	-----	-----	\$1,000	-
Roads and parking-----	-----	-----	-----	1,000	-
Structure repairs-----	-----	-----	-----	10,000	-
				\$12,000	
Carpinteria -----	\$76,900	-----	-----	-----	-
1 contact station-----	-----	\$500	-----	\$500	2
1 sewage disposal system-----	-----	10,000	-----	10,000	4
Grading and landscaping-----	-----	-----	-----	500	Reduction
Razing 2 structures and-----	-----	-----	\$3,500	3,500	1
rebuilding present	-----	-----	-----	-----	-----
structure-----	-----	-----	1,900	18,000	-
Roads and parking-----	-----	-----	13,270	13,270	4
				\$45,770	
Doheny -----	\$137,600	-----	-----	-----	-
1 garage and storage bldg.-----	-----	-----	\$2,800	\$2,800	2
2 residences-----	-----	\$22,000	-----	22,000	1
2 garages-----	-----	1,800	-----	2,400	1
Roads and parking-----	-----	-----	31,000	31,000	4
1 flood control-----	-----	-----	105,200	105,200	1
Bridge repair-----	-----	-----	350	350	-
				\$163,750	
Natural bridges-----	\$5,300	-----	-----	-----	-
Roads and parking-----	-----	-----	\$9,800	10,000	1
				\$10,000	
New Brighton-----	\$22,000	-----	-----	-----	-
2 residences-----	-----	\$22,000	-----	\$22,000	1
1 garage-----	-----	1,200	-----	1,200	1
1 comfort station-----	-----	-----	-----	3,000	1
Addition to comb. bldg.-----	-----	-----	-----	900	Reduction
Roads and parking-----	-----	-----	\$14,450	14,450	4
				\$41,550	
Pismo -----	\$59,500	-----	-----	-----	-
Russian Gulch	-----	-----	-----	-----	-----
23 camp units-----	-----	-----	-----	\$3,750	3
Grading and landscaping-----	-----	-----	-----	3,000	3
Repair to existing structure-----	-----	-----	-----	1,000	3
				\$7,750	
San Clemente-----	\$116,400	-----	-----	-----	-
3 residences-----	-----	\$34,000	-----	\$34,000	1
2 garages-----	-----	2,400	-----	2,400	1
1 service area-----	-----	-----	\$950	10,000	Reduction
Roads and parking-----	-----	15,000	-----	15,000	4
Outfall sewer-----	-----	18,000	-----	18,000	4
				\$79,400	
Seacliff -----	\$57,900	-----	-----	-----	-
1 comfort station-----	-----	-----	-----	\$3,000	1
1 combination building-----	-----	-----	-----	4,000	1
1 contact station-----	-----	-----	-----	1,500	Reduction
Sewage disposal-----	-----	-----	-----	1,700	2
Roads and parking-----	-----	\$1,260	\$4,740	6,000	-
Seawall-----	-----	-----	-----	30,000	-
				\$46,200	

PROPOSED EXPENDITURES FOR CAPITAL OUTLAY—Continued

State Beach Fund—Continued

Beach	Program January 3, 1946	Tentative obligations	Fired obligations	Revised total	Reason
Sonoma Coast -----	\$33,850				
1 residence -----		\$11,000		\$11,000	1
1 garage -----		1,200		1,200	1
Water system -----				1,500	2
Roads and parking -----		34,300	\$15,700	50,000	4
				\$63,700	
Sunset Beach -----	\$20,900				
1 residence -----		\$11,000		\$11,000	1
1 garage -----		1,200		1,200	1
Water system -----			\$23,650	23,650	2
Electric power lines -----			1,500	1,500	2
Roads and parking -----			8,000	8,000	1
				\$45,350	
Van Damme -----	\$32,500				
Roads and parking -----				\$5,000	Reduction
				\$520,470	
Unallocated reserve for contingencies -----				54,380	-
				\$574,850	

RESOLUTIONS

The following resolution was offered:

By Senator Judah:

Senate Resolution No. 44

Relative to the continuance of the Senate Interim Committee on a State Training School for Boys and for Girls

Resolved by the Senate of the State of California, As follows:

1. The Senate Interim Committee on a State Training School for Boys and for Girls created by Senate Resolution No. 22 of the Fifty-fifth (Fourth Extraordinary) Session, and continued by Senate Resolution No. 144 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The sum of three thousand dollars (\$3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 3, 1947.

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor, dated January 27, 1947, appointing

WALLACE K. DOWNEY, as Insurance Commissioner, vice Maynard Garrison, effective February 1, 1947, for the term prescribed by law;

has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5; noes 0.

POWERS, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Wallace K. Downey as Insurance Commissioner.

The President put the question, "Will the Senate confirm and consent to the appointment of Wallace K. Downey?"

The roll was called, with the following result:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Mayo, McBride, McCormack, O'Gara, Powers, Rich, Swing, Tenney, Watson, and Williams—27.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Wallace K. Downey as Insurance Commissioner.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, February 3, 1947

To the Senate of the State of California:

I have the honor to inform you that I propose to make the following appointment, and respectfully request your confirmation thereof and consent thereto:

KENNETH POTTER, a resident of Fresno; member of the faculty of Fresno State College; graduate of the University of Michigan, with graduate work at the University of California; Chairman of the Fresno City Housing Authority;

as member of the Public Utilities Commission, vice Frank W. Clark, resigned, for the term prescribed by law, ending January 1, 1949.

Respectfully.

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

**WITHDRAWAL AND RE-REFERENCE OF SENATE BILLS
NOS. 989 AND 1004**

Senator Cunningham moved that Senate Bills Nos. 989 and 1004 be withdrawn from Committee on Governmental Efficiency, and referred to Committee on Local Government.

Motion carried.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

Assembly Bill No. 966—An act to amend Section 830 of the Agricultural Code, relating to the use of dates for by-products purposes, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 372—An act authorizing the Attorney General to represent the Indians of this State before the Indian Claims Commission, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 550—An act to amend Section 3411 of the Public Resources Code, relating to estimates for support of the Division of Oil and Gas, Department of Natural Resources, from the Petroleum and Gas Fund, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 626—An act to amend Section 2270 of the Health and Safety Code, relating to mosquito abatement districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 714—An act to authorize the Department of Finance to acquire surplus housing facilities from the United States of America or any of its agencies for resale to veterans, making an appropriation, and declaring that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "or the Merchant Marine".

Amendment read, and adopted.

Bill ordered printed, and referred to Committee on Finance.

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 14—Relative to memorializing the Congress of the United States in relation to public shooting grounds.

Resolution read, and presented by Senator Watson.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Sutton, Swing, Tenney, Watson, and Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 455—An act to amend Section 2727.5 of the Business and Professions Code, relating to the qualifications of nurses, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Hatfield.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Sutton, Swing, Tenney, Watson, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Keating, Kraft, Mayo, McCormack, O'Gara, Quinn, Rich, Salsman, Sutton, Swing, Tenney, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 21—Relative to the intent and purpose, and the administration of the provisions of Chapter 728 of the Statutes of 1945, relating to inflammable articles.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Quinn, Rich, Salsman, Sutton, Swing, Watson, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 134—An act to amend Sections 3025, 3084, and 3087 of the Welfare and Institutions Code, relating to aid to the needy blind, increasing the amount thereof, and making an appropriation; and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Gordon.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 134:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 21, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 134, "An act to amend Sections 3025, 3084, and 3087 of the Welfare and Institutions Code, relating to aid to the needy blind, increasing the amount thereof, and making an appropriation; and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 134 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Sutton, Swing, Tenney, Watson, and Williams—31.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Sutton, Swing, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 135—An act to amend Sections 3420 and 3472 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, increasing the amount thereof, and making an appropriation; and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Gordon.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 135:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 21, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 135, "An act to amend Sections 3420 and 3472 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, increasing the amount thereof, and making an appropriation; and declaring the urgency thereof, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 135 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Sutton, Swing, Tenney, Watson, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Sutton, Tenney, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 13—Relative to memorializing the President and Congress to have the Mammoth Pass Road constructed.

Resolution read, and presented by Senator Hatfield.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Sutton, Swing, Tenney, Watson, and Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 488—An act to amend Section 105 of the Revenue and Taxation Code, and to add Section 105.1 to said code, relating to property taxes and declaring the urgency thereof to take effect immediately.

Bill read third time, and presented by Senator DeLap.

Motion to Amend

Senator Carter moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "substantial".

Amendment No. 2

On page 1, line 14, of the printed bill, after "improvements" insert "unless the thing has, by the manner in which it is affixed, become an integral part of the improvements".

Amendments read.

Previous Question

Senator Gordon moved the previous question.

Motion carried.

The question being on the adoption of the amendments offered by Senator Carter to Assembly Bill No. 488.

Roll Call Demanded

Senators DeLap, Rich, and Carter demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Senators Burns, Busch, Carter, Collier, Desmond, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Kraft, McBride, O'Gara, Powers, Salsman, Tenney, and Williams—18.

NOES—Senators Breed, Brown, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Keating, McCormack, Quinn, Rich, Sutton, Swing, and Watson—14.

Assembly Bill No. 488 ordered printed, and to third reading.

MOTION TO RE-REFER ASSEMBLY BILL NO. 402

Senator Dillinger moved that Assembly Bill No. 402 be re-referred to Committee on Finance.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 416

Senator Breed moved that Senate Bill No. 416 be withdrawn from Committee on Public Utilities, and referred to Committee on Local Government.

Motion carried.

ADJOURNMENT

At 11.59 a.m., on motion of Senator Powers, the President declared the Senate adjourned until 10 a.m., Tuesday, February 4, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

TWENTY-SECOND LEGISLATIVE DAY

THIRTIETH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, February 4, 1947

The Senate met at 10 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator McBride, due to illness.

Senator Ward, on motion of Senator McBride, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George R. Cadan of Santa Rosa.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John A. Lagomarsino of Ventura.

On request of Senator Mayo, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Chief William Fuller of Tuolumne.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jim Otto of Hollywood.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 21

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 21

Assembly Joint Resolution No. 14

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 23—An act to amend Section 752 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to elections of boards of education in cities of the fifth class, declaring the urgency hereof, to take effect immediately;

Senate Bill No. 55—An act to amend Sections 11 and 44.2 of the Unemployment Insurance Act, relating to unemployment insurance, declaring the urgency thereof, to take effect immediately;

Senate Bill No. 227—An act to amend the Health and Safety Code by repealing Sections 32127, 32202, 32204, 32205, 32303, 32308, 32312, 32313; by amending Sections 32003, 32100, 32203, 32305, 32309, 32310; and by adding new sections numbered 32127, 32202, 32204, 32303, 32308, 32312, all relating to local hospital districts; including the validation of districts heretofore organized, and declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of February, 1947, at 5 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 19

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: The Committee on Water Resources, to which was referred:
Assembly Bill No. 419

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

JESPERSEN, Chairman

Above reported bill ordered to second reading.

Committee on Labor

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: The Committee on Labor, to which was referred:
Assembly Bill No. 974

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 7; committee vote: Ayes 4; absent 3.

WILLIAMS, Vice Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Education

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:
Assembly Bill No. 973

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

SALSMAN, Vice Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Assembly Bill No. 975

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

KRAFT, Vice Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: Your Committee on Natural Resources, to which was referred:
Assembly Joint Resolution No. 14

Has had the same under consideration, and reports the same back with the recommendation: Be adopted, and be re-referred to Committee on Rules.

Committee membership 9; committee vote: Ayes 5; absent 4.

DELAP, Chairman

Above reported resolution re-referred to Committee on Rules.

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Assembly Joint Resolution No. 3

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 5; absent 4.

O'GARA, Vice Chairman

Above reported resolution ordered to third reading.

MOTION TO APPROVE JOURNALS

Senator Powers moved that the Journals for Monday, January 27, 1947, Tuesday, January 28, 1947, Wednesday, January 29, 1947, Thursday, January 30, 1947, and Friday, January 31, 1947, be approved as corrected by the Journal Clerk and Minute Clerk.

Motion carried.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 580

Senator McBride moved that Senate Bill No. 580 be withdrawn from Committee on Labor for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 580—An act to amend Section 6902 and to repeal Section 6903 of the Labor Code, relating to train crews.

Bill read second time.

Motion to Amend

Senator McBride moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, strike out line 23.

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules:

Senate Resolution No. 45

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate in favor of the Secretary of the Senate in the sum of seven thousand eight hundred one dollars and sixty cents (\$7,801.60) to pay the items set forth below, and the Treasurer is hereby directed to pay the same:

Bancroft-Whitney Company, codes.....	\$4,879 00
Recorder Printing and Publishing Company, Larmac Index.....	512 50
Western Union.....	2,410 10

\$7,801 60

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Busch, Collier, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Tenney, Watson, Weybret, and Williams—24.

NOES—None.

By the Committee on Rules:

Senate Resolution No. 46

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate in a sum of four thousand dollars (\$1,000) in favor of Joseph A. Beek, Secretary of the Senate, and the Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, illuminating resolutions, bills from State Department of Finance, traveling expenses and any other incidental expenses in connection with conducting the business of the Senate and performing any duties imposed by law, the Rules or resolutions of the Senate, also to pay any bills for incidental expenses of the Senate heretofore incurred but for which payment has not been provided by any other resolution.

The Secretary of the Senate is instructed to file with the Controller receipts covering all expenditures made hereunder.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Busch, Collier, Cunningham, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—22.

NOES—None.

Senator McBride Presiding

At 10.20 a.m., Senator James J. McBride of the Thirty-third District, presiding.

MOTION TO PRINT LETTER OF TRANSMITTAL

Senator Mayo moved that the following Letter of Transmittal be printed in the Journal, and the Report of the State Reconstruction and Reemployment Commission filed with the Secretary of the Senate:

Motion carried.

Letter of Transmittal

STATE RECONSTRUCTION AND REEMPLOYMENT COMMISSION

SACRAMENTO 14, January 30, 1947

Honorable Earl Warren, Governor of California

Honorable Goodwin J. Knight, President of the Senate

Honorable Sam L. Collins, Speaker of the Assembly

This is the third report of the State Reconstruction and Reemployment Commission to the Governor and the Legislature.

The accomplishments which the commission is able to document here are due in great measure to the efforts of hundreds of Californians who unstintingly gave their time and wise judgment so that the commission's work might go forward. The commission and its small staff could not have met the responsibilities entrusted to them by the Legislature without the help of the members of the Commission's Citizens' Advisory and Project Committees. These public-spirited men and women received no compensation other than the knowledge that their time, their talents and their efforts have immeasurably aided their fellow citizens.

Respectfully submitted.

STATE RECONSTRUCTION AND REEMPLOYMENT COMMISSION

A. EARL WASHBURN
Director of Reconstruction and Reemployment

C. H. PURCELL, Chairman

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 44

Senate Joint Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolutions ordered to third reading.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Resolution No. 44—Relative to the continuance of the Senate Interim Committee on a State Training School for Boys and for Girls.

Resolved by the Senate of the State of California, As follows:

1. The Senate Interim Committee on a State Training School for Boys and for Girls created by Senate Resolution No. 22 of the Fifty-fifth (Fourth Extraordinary) Session, and continued by Senate Resolution No. 144 of the Fifty-sixth Regular Session is continued as a Senate committee at this general session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The sum of three thousand dollars (\$3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charge, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 40

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Concurrent Resolution No. 40—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 8, of the printed resolution, strike out "3 o'clock p.m. on January 31, 1947", and insert "5 o'clock p.m. on February 5, 1947".

Amendment No. 2

On page 1, line 9, of the printed resolution, strike out "March 3, 1947", and insert "March 17, 1947".

Amendments read.

Previous Question

Senator McCormack moved the previous question.

Motion carried.

The question being on the adoption of the amendments offered by the Committee on Rules.

Amendments adopted unanimously.

Further Consideration of Assembly Concurrent Resolution No. 40, as Amended

Assembly Concurrent Resolution No. 40—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—35.
NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Jespersen asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 7, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 7

Senate Joint Resolution No. 7—Relative to memorializing the President and the Congress of the United States in relation to the renewal of restrictions on the availability of federal surplus property to educational institutions.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson and Williams—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Finance, to which were referred:

Assembly Bill No. 714

Assembly Bill No. 974

Assembly Bill No. 975

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Assembly Bill No. 402

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; noes 1; absent 3.

RICH, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 3, 1947

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Joint Resolution No. 16

Assembly Joint Resolution No. 17

Assembly Joint Resolution No. 19

Assembly Concurrent Resolution No. 31

Assembly Concurrent Resolution No. 28

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolutions ordered to third reading.

MOTION TO PRINT PARTIAL REPORT

Senator Hulse moved that the Partial Report of the Interim Committee on State and Local Taxation, be printed in this day's Journal, and that 1,000 additional copies of the report be printed in 10-point type.

Motion carried.

REPORT OF THE SENATE INTERIM COMMITTEE ON STATE AND LOCAL TAXATION

Letter of Transmittal

February 4, 1947

President of the Senate

California Legislature

Sacramento, California

DEAR SIR: Pursuant to Senate Resolution 127, read and adopted June 16, 1945, at the Fifty-sixth Regular Session of the Legislature, the Senate Interim Committee on State and Local Taxation herewith submits a partial report. This partial report consists of Part One, Summary of Findings and Recommendations of the Committee. Part Two, State and Local Government Finance in California, is a comprehensive and detailed fact-finding report, and will be submitted at a later date.

The committee's procedure in the conduct of this inquiry and the details of its investigation, both through public hearings and through its technical staff, are related in Chapter One of the report submitted herewith. The form of the complete report is also described in this chapter.

Chapter Two constitutes a general summary of the fiscal problems of county and city governments in California. The remaining chapters, with the exception of Chapter Seven, supply a summary of the factual materials from which the committee derived its findings and which the committee has used to support its conclusions. Chapter Seven contains the recommendations of the committee in regard to the fiscal problems of state and local government in California.

The committee expresses its appreciation to the officials of the State and the many local government units as well as to the representatives of private organizations who assisted it in this inquiry by generously providing information and unselfishly giving their time to confer with the committee and its staff.

Respectfully submitted,

BEN HULSE, Chairman

CLARENCE C. WARD, Vice Chairman

HARRY L. PARKMAN

HAROLD J. POWERS

HUGH M. BURNS

Part One
Summary Report of Findings and Recommendations
of the Committee

CHAPTER 1
Organization of the Committee

A. Legislative Authority

The Senate Committee on State and Local Taxation was established pursuant to the provisions of Senate Resolution 127, read and adopted by the Senate on June 16, 1945.

B. Procedure in the Conduct of the Inquiry

To implement its study of the fiscal problems of units of government in California, the committee appointed a staff consisting of an executive secretary and clerical assistance. This staff was charged with the compilation, organization and analysis of basic financial data for committee purposes. In addition to staff aid, the committee resolved to seek information from the official personnel of the governmental units with which it was concerned and to hear the views of all other parties interested in this problem. To this end, public hearings were held, with a view of offering ample opportunity, both geographically and to business, labor, tax-paying, and governmental interests, to express their views on the fiscal problems of the state and local governments in California. Public hearings were held in the following places and on the dates shown:

- (1) San Francisco.....August 26 and 27, 1946
- (2) Oakland.....August 28, 1946
- (3) Santa Barbara.....August 30 and 31, 1946
- (4) Los Angeles.....September 3 and 4, 1946
- (5) San Diego.....September 6 and 7, 1946
- (6) Fresno.....October 7 and 8, 1946
- (7) Sacramento.....October 10, 11, 12, 14 and 15, 1946

Appearances before the committee included representatives of the State of California and of thirty-three (33) counties, seventy-two (72) cities and one (1) city and county. The delegates from the cities and counties represented a population of 5,259,498 or 76 percent of the total population of the State. Nongovernmental organizations represented were as follows:

Nongovernmental Organizations

Alameda County Taxpayers' Association
 California Association of Ice Industries
 California Farm Bureau Federation
 California State Chamber of Commerce
 California State Federation of Labor
 California State Real Estate Association
 California Taxpayers' Association
 Congress of Industrial Organizations

County Supervisors Association of California
 League of California Cities
 Los Angeles Citizens' Budget Committee
 Pacific States Cold Storage and Warehousemen's Association
 Redwood Empire Association
 State Assessors Association
 The Trucking Industry, Inc.

C. *Committee Investigation*

The committee determined at the outset that, in view of the circumstances which led to its creation, the first task should be the investigation of the financial problems of county and city governments as distinct from those of the State. The committee does not under-estimate the emerging fiscal requirements of the State Government. However, the present volume of state revenue and the fact that the full impact of a number of financial commitments is deferred for a time, postpone the urgency of the State's fiscal problem. Local governments generally, however, and the counties and cities in particular, face immediate and serious financial problems for which some provision must be made. It was thus considered more important at the outset to examine carefully the fiscal position of these two local government jurisdictions than to deal superficially with the fiscal problems of all.

An analysis of the financial problems of local government in California involves a study of over 4,700 active taxing jurisdictions. The distribution of these local units in 1946 is listed below:

Counties -----	57
Cities -----	287
School districts -----	2,662
Active special districts -----	1,711
Inactive special districts -----	82
Total -----	4,799

It should be noted that 2,662 of these units are school districts which both require and need separate and special analysis. A recommendation with respect to the need for a separate inquiry into the problems of these units, and other special districts, is submitted herewith.

The work of the committee has been facilitated by the cooperation of many county and city officials and various governmental departments of the State of California, including the Office of the State Controller, the State Board of Equalization, the State Department of Finance, and the Office of the Legislative Auditor. The committee also acknowledges the cooperation and assistance of the County Supervisors' Association of California, the League of California Cities, the California State Chamber of Commerce, and the California Taxpayers' Association.

Even with the cooperation of the governmental agencies and organizations mentioned above, the staff of the committee faced serious difficulties in the compilation of data. The principal difficulty in this connection arose from the diversity of accounting and reporting systems which exist among the various county and city governments in the State. These differences raised the question of whether or not to rely upon available

secondary data already published. It was also necessary for the committee to determine whether it would depend in all cases upon published records and reports for its most important basic data, or whether it would assume the difficult task of inspecting the original records of local governments in order to secure refinements of data not presently available. The staff of the committee has secured data from original local government records and reports whenever this was practical and feasible. Where other data are used, the committee wishes to indicate its sources without exception. Any omissions are not intended and must be charged as an oversight of the technical staff. It must be pointed out, however, that much of the data which the committee required should, within all reasonable expectations, have been readily available and completely reliable since it is concerned with the receipt and expenditure of public moneys. To whatever extent the committee has added to the basic fund of available information regarding local government finance especially, it is hoped that this, and even more comprehensive data will hereafter be currently maintained. With respect to these matters, the committee makes certain recommendations noted later.

D. Form of the Report

The report of the committee is presented in two parts. Part One, submitted herewith, contains a summary of certain sections of the fact-finding investigation conducted by the committee and its staff, and the committee's recommendations pertaining to certain aspects of government finance in California. The purpose of this summary is to make those findings of the committee which are most relevant to its recommendations conveniently available to all interested parties.

Throughout the summary appropriate references are made to the chapters and section in the second part of the report.¹ Part Two, State and Local Government Finance in California, is a comprehensive fact-finding report containing detailed data and analyses relative to the fiscal operations of the state and local governments. It provides supporting data for the Summary Report of Findings and Recommendations of the Committee. It is hoped that interested parties will study this detailed fact-finding report carefully. It will be most useful as a reference work, supporting the conclusions and recommendations drawn herewith.

It should be noted that this summary report concentrates upon the financial problems of counties and cities to which the committee, as previously stated, directed its primary attention. Part Two contains, in addition to the analysis of these units, a consideration of government finance at the state and district levels. In the case of the State Government, the committee makes certain recommendations concerning the disposition of the large General Fund surplus arising out of retail sales and use tax collections, but no major modifications in the State's revenue structure are proposed. Furthermore, in the light of its findings up to this time, the committee feels competent only to recommend further investigation of the fiscal operations of schools and other districts. An exhaustive study of district taxing jurisdictions would require more time, staff, and funds than are available to the present committee.

¹ References are appended to each chapter and to divisions of the chapters in the following summary. They denote the chapter and section of the fact-finding report from which the summary was drawn.

CHAPTER 2

The Fiscal Problems of County and City Governments in California

This section of the summary provides an overall view of the financial position of counties and cities and the historical antecedents by which these problems have come to be immediate and urgent. It also purports to distinguish between those fiscal problems which are of long duration and which, in effect, were left unaltered by the consequences of the war and those problems which, while they have long been of considerable importance, were rendered both more immediate and more urgent by the war and the enormous changes in population and levels of economic activity which characterized the war years.

The fiscal problems of the counties and cities, like those of every budgeting unit, derive from the difficulties associated with raising funds in sufficient amounts to support various activities which are demanded and believed to be desirable. In testimony before the committee, one witness put the matter succinctly by stating that the financial problems of local government could be attributed to "Too much expense and not enough money." While this statement of the problem is basically accurate, it represents, of course, an over-simplification of the problems. Many of the necessary expenditures of local government agencies are beyond their control and the sources of revenue which they may legally and in good judgment exploit, are by no means without limit. It is also true that many important sources of local government receipts are insensitive to a variety of factors which increase the burden upon the public purse. For this reason this Summary Report contains in the following sections a treatment of the problems of financing county governments, a discussion of the fiscal problems of city governments, a section on the finances of the City and County of San Francisco, and a descriptive treatment of the effects of property tax exemptions which have their impact at all levels of local government. Materials in the following sections are largely descriptive and, whenever possible, they are arranged in such a way as to provide a chronological summary of the behavior of important financial data. The present section is concerned with the principal factors influencing the complete picture of county and city finance and which must be considered in any legislative solution of their problems.

There has been a secular increase in the financial burdens of county and city government over many years. California has experienced population increases in the last two decades which have literally transformed the character of the State. This population growth and the accompanying industrialization and general development of business activity in the State resulted in large increases in the demands for the services, and hence upon the funds, of local governments. Many of the principal items of expense in the budgets of local governments are extraordinarily sensitive to changes of this character. Every major increase in the population of an area brings with it increased burdens in the provision of protection of persons and property, in the provision of parks, playground and recreational facilities, and in the maintenance, construction and improvement of streets, roads and highways. These items represent increasing burdens over many years and even in the years of the depression of the thirties, the expenses associated with many of these functions continued to increase or fell off very little. With the enormous in-migration of population to California during the war years, this problem became even

further accentuated to a degree which is not even now fully evident in current data. Many of the facts at hand tend to support the conclusion that further substantial increases in many costs of local governments will occur in the immediate future, even to restore prewar levels of government service. During the war years when the expanding population brought large increases in the demands upon the services of many departments in local government, there were other services which in the very nature of the case could not be maintained at a level similar to that which had been established in the years prior to the war. Thus highway maintenance was permitted to be deferred in many cases because of labor and material shortages. While such deferments were not undertaken for financial reasons in many cases, they nevertheless lightened the current burden upon the finances of local government. Provision must now be made for a considerable volume of deferred maintenance and local treasuries will no longer show the benefits, which were apparent rather than real, of reduced expenditures on such items. Capital outlays were also deferred during the war years although this was not a situation vastly different from that which had existed during a large part of the thirties. In the face of falling revenues and rising costs during part of the thirties, capital outlays were deferred as a means of balancing budgets and the backlog of needed facilities which thus developed had only been partially reduced prior to the war years. On the expenditure side of the picture it can be said that while there has been a secular increase in the costs of local government, a phenomenon naturally associated with increases in population, the economic growth of the State and the pressure of the citizens for a constant expansion of the services of local government, this long time increase is not over. In fact, present evidence suggests that further increases will be forthcoming if local governments are to succeed in even restoring the prewar level of local government service, and this does not take into account the continued pressure from large parts of the electorate to expand further the services of local government.

The behavior of revenue sources while these movements on the expenditure side have been taking place must also be considered. Both county and city governments have received funds in the form of subventions and grants from higher levels of government for purposes in which there is a state interest. Apart from these funds however, the counties and cities have placed their principal reliance for funds on the general property tax. The behavior of the yield of the general property tax is described in detail in following sections. As these sections indicate, the yield of the property tax depends upon assessed valuations of property and tax rates. The behavior of assessed valuations for counties and cities is highly similar, which is to be expected since at present 114 cities, which include within their corporate limits more than 80 percent of the total property subject to taxation by city governments, have their assessments determined by county assessors under contractual agreements with the counties in which they are situated. In these cases, of course, the assessed valuations of property in the county and the city are highly correlated. The essence of the history of assessed valuations in the State over the period from 1929-30, is that assessments declined greatly during the period of the early thirties and this loss was not recovered until well into the war years despite the addition of state assessed property to the local tax base pursuant to the Riley-Stewart Amendment. This has, of

course, been a matter of major concern to the counties which, as a consequence, have met large parts of the increased cost of government by means of heavy increases in the tax rate in recent years. In the case of cities, however, the decline had more serious implications. The majority of cities operate under tax rate limitations for general fund purposes which are established either by charters or by general law. A large number of cities, indeed a majority, were at or within 10 cents of their legal tax rate limitations in 1946-47. In brief this means that, in the absence of increases in assessed value of property subject to taxation by cities, no further additions to revenue can be anticipated from this source. This forced many cities to seek new sources of revenue and 44 cities have already adopted municipal sales taxes, some 65 have installed, and many more have awarded contracts for, installation of parking meters and recourse has been made to business license taxes which apply both to general business and places of amusement.

These new sources of revenue, however, have not solved the problem posed by declining yields of the property tax. They have provided considerable assistance in the emergency situations which led to their adoption, but they have not provided, on the whole, the final answer to adequate provision for deferred capital outlays. The need for these deferred capital outlays by counties and cities in the State is imperative. Many communities require major expenditures for sewage disposal, street and highway construction, expansion of municipal office and agency facilities, purchase of new motorized equipment, the inventory of which is now at very low ebb, and a variety of other capital expenditures which can hardly be provided out of budgets based on a property tax of declining relative importance to total receipts and upon the yield of collateral forms of revenue now adopted. It should be pointed out, moreover, that the counties, which are in a more favorable position than the cities with respect to the property tax since they do not labor under tax rate limitations, are less favorably situated with respect to collateral types of revenue because they lack the legal authority to tap many of the sources of revenue to which the cities in their extremity have turned.

The entire solution of these problems is not to be found by further increasing general property tax rates. The total tax rates of counties, cities, school districts, and other special districts combined, have already reached very high levels. The magnitude of some of these combined property tax rates and the changes which occurred since 1940-41 both in the combined rates and in the total tax rates of the different component units of government are of sufficient importance in the analysis of this problem to warrant further consideration.

Total tax rates of county, city, school and other districts have been collected for 79 cities for the years 1940-41, 1945-46, and 1946-47. Combined tax rates for 1945-46 were lower than the corresponding rates for 1940-41 in 17 of the 79 cities. The major part of these reductions occurred with the tax rates levied for county and school purposes. However, in 1946-47 combined rates were lower than in 1945-46 for only 3 cities, (Brawley, Hanford, and Watsonville), and were the same as 1945-46 in 2

cities, (Santa Cruz and Vallejo). Increases in the other 74 cities are summarized below:

<i>Amount of increase</i>	<i>Number of cities</i>
\$2 00 and over -----	2
1 80-\$1 99 -----	1
1 60- 1 79 -----	---
1 40- 1 59 -----	3
1 20- 1 39 -----	7
1 00- 1 19 -----	8
0 80- 0 99 -----	16
0 60- 0 79 -----	16
0 40- 0 59 -----	13
0 20- 0 39 -----	8
Less than 0.20 -----	---
	<u>74</u>

The cities with the largest increases in dollar amounts were Riverside (\$2.12); Marysville (\$2.005); and Petaluma (\$1.83). Higher rates and thus greater increases for county and school tax purposes were responsible for the bulk of these increases. The ranges of these total tax rates for selected years is presented below:

	<i>Range</i>	<i>Median</i>
1940-41	\$3.57 (Hanford) to \$6.0283 (Redondo Beach) -----	\$4.99131
1945-46	\$4.0199 (Anaheim) to \$6.49 (El Centro) -----	\$5.195
1946-47	\$4.37 (Hanford) to \$7.36 (Petaluma) -----	\$5.83

In five cities in 1946-47 the combined tax rates were in excess of \$7 per \$100 of assessed valuation. These cities are El Centro, Marysville, Oroville, Petaluma, and Santa Monica. In 29 cities combined rates were between \$6 and \$7 per \$100 of assessed valuation; in 35 cities combined rates were between \$5 and \$6; and in 10 cities they were between \$4 and \$5 per \$100 of assessed valuation.

Higher tax rates for county and school purposes have been responsible for the major share of the increases in the 1946-47 combined tax rates. This is shown quite clearly in the following summary:

<i>Amount of increase 1945-46 to 1946-47</i>	<i>Number of county rates</i>	<i>Number of city rates</i>	<i>Number of school rates</i>	<i>Number of special district rates</i>
\$1 00 and over -----	3	--	1	--
0 90-\$0 99 -----	3	--	1	--
0 80- 0 89 -----	3	--	1	--
0 70- 0 79 -----	2	--	5	--
0 60- 0 69 -----	2	--	6	--
0 50- 0 59 -----	5	1	4	--
0 40- 0 49 -----	33	2	6	--
0 30- 0 39 -----	12	2	8	--
0 20- 0 29 -----	4	12	9	1
0 10- 0 19 -----	11	8	14	5
Less than 0 10 -----	2	12	16	18
	<u>77</u>	<u>37</u>	<u>71</u>	<u>24</u>
1946-47 rate lower than 1945-46 -----	2	21	8	24
1946-47 rate the same as 1945-46 -----	--	21	--	15
No rate applicable -----	--	--	--	10
	<u>79</u>	<u>79</u>	<u>79</u>	<u>79</u>

In over half of the cities the rates for city and special district purposes in 1946-47 were below or the same as in 1945-46. Only in two cities were the rates for county purposes in 1946-47 lower than in 1945-46 and in only eight cities was this the case with respect to rates for school purposes. Rate increases for city purposes were generally less than 40 cents per \$100 of assessed valuation while rate increases for county purposes were, largely, above this figure. Rate increases for school purposes of 40 cents or more per \$100 of assessed valuation were also relatively numerous.

Detailed discussions of subventions and grants from higher levels of government to the counties and cities appear in the sections of this summary dealing separately with these two units of local government. The principal point to be made here is that subventions and grants represent approximately 50 percent of the total receipts of county governments, whereas they represent a much smaller proportion of the total receipts of city governments. This follows in part from the constitutional limitations prohibiting grants of moneys by the State to municipal corporations. Subventions and grants represent both centrally-collected, locally-shared taxes and contributions in support of particular functions administered locally, e.g., categorial aids under the Social Security Act. As a general principle, they are made to levels of government lower than the State only where the State has an interest in the performance of the function supported. There are substantial advantages in this arrangement which should not be forgotten in the present financial stringency. But, particularly in the case of municipalities, it appears wiser to discover methods by which they may secure, from locally collected revenue, funds for the support of all proper municipal services. Subventions and grants from higher levels of government should be the recourse only in those cases where the higher unit of government has a real and abiding interest in the function performed. This point is made because, in view of the present financial position of the State, it might well be suggested that a part of the solution to the problems here set forth, could be provided by subventions from the State for General Fund purposes.

It is true, of course, that recent developments which have so burdened the financial resources of local governments, especially the large in-migration of population during the war years, have required increased expenditures by the State as well. But the sources of revenue upon which the State relies, unlike those upon which local governments depend, are extraordinarily sensitive to a comparatively greater degree, to the same factors which give rise to the need for increased expenditures. Thus, the bank and corporation franchise tax, the personal income tax, and the retail sales and use tax could be expected to react favorably to growth in population and the consequent increase in business activity, increases in money incomes resulting from expanded production, the in-migration of large numbers of people, and the expanding level of prices. As a consequence, even with the reductions in state taxes effective in 1943, a substantial inherited deficit has been retired and the State Government has accumulated a sizeable surplus. This more favorable sensitivity of the sources of state revenue on improving economic conditions means, of course, that in periods of such improvement the State Government is in a position to discharge its obligations readily, whereas the insensitive character of the sources of local revenue funds presents the

counties and the cities with serious financial problems in such periods. These problems and the manner in which they have become accentuated during the war years, even though that accentuation is a continuation of a long-time trend, is the real and detailed subject matter of this report and of the following sections of this summary, and of the extensive Fact-Finding Report of the committee.

It is obviously true that the sensitivity of state sources of revenue to changes in economic conditions tempts the counties and cities, in their search for additional funds, to enact tax legislation which exploits the same sources of revenue. Many municipalities have adopted sales taxes and a variety of business taxes and it is probably true that counties would also move in this direction were it not for the legal limitations on their taxing powers. This means that the tendency is toward increased overlapping in taxation by the various levels of government, and to a greater and greater extent local governments will probably consider themselves forced to invade fields of tax revenue heretofore the more or less exclusive preserve of the Federal and State Governments. Unless this tendency is studied with a view of achieving some solution immediately by which local governments may be equipped to finance themselves within the province of their own revenue sources, it is virtually certain to be realized.

The following sections present a summary of the facts concerning the financial situation of the counties and cities of California. On the basis of these materials, and on the basis of a much more comprehensive investigation contained in the Fact-Finding Report, the committee, in the interests of promulgating what are, at least, partial solutions to these problems of the counties and cities, has appended certain recommendations.

CHAPTER 3

Financing County Government

Assuming the existing expenditure pattern of county government, which includes both those functions which counties typically provide to their citizens and those functions which are added to their activities by higher legislative authority, an analysis of the fiscal problems of county government in California must be concerned not only with total receipts, but also with the major component items which make up this total. This summary of county finances is therefore concerned with the pattern of changes in total county receipts, in property tax receipts, and in receipts from nontax sources and from subventions and grants.

Receipts of County Governments

The aggregate total receipts of the 57 counties in California were higher in 1944-45 than at any time in their previous financial history.² The total for this fiscal year reached \$222,765,748 and present evidence indicates that when final figures for 1945-1946 and 1946-47 are available, further substantial increase will be shown. Total receipts of counties from 1929-30 through 1944-45 are shown in Table 1. With the decline in economic activity in the early thirties, total receipts fell from \$148,588,670 in 1929-30 to \$99,697,839 in 1934-35, or by approximately 67 percent. This decrease was due primarily to a shrinkage in the property tax base and to rising delinquency rates which were reflected in reduced receipts

² County data excludes the City and County of San Francisco.

from ad valorem taxes. From the low point of 1934-35, total receipts increased each year during the remainder of the thirties, reaching \$190,244,881 in the last prewar year of 1940-41. This was an increase of 91 percent above the 1934-35 level. The addition of state-assessed property to the county tax base under the provisions of the Riley-Stewart Amendment and the upward movement of locally-assessed property valuations with improved economic conditions, combined with generally higher tax rates after 1935-36, brought substantially larger receipts from property taxes. During this same period receipts from subventions and grants more than trebled.

TABLE 1
County Receipts¹

<i>Fiscal year</i>	<i>Property taxes</i>	<i>Subventions and grants</i>	<i>Non-tax receipts</i>	<i>Total receipts</i>
1929-30-----	\$115,050,768	\$16,886,585	\$16,651,317	\$148,588,670
1930-31-----	114,654,824	17,768,241	14,787,640	147,210,705
1931-32-----	110,086,291	18,685,021	12,084,495	140,855,807
1932-33-----	96,152,689	29,241,857	10,331,621	135,726,167
1933-34-----	69,676,235	20,347,414	10,584,964	100,608,613
1934-35-----	64,393,785	25,830,712	9,473,342	99,697,839
1935-36-----	74,109,516	23,843,146	8,430,621	106,383,283
1936-37-----	74,820,707	39,424,559	9,340,874	123,586,140
1937-38-----	86,507,176	57,893,522	9,846,018	154,246,716
1938-39-----	89,964,468	63,760,536	10,256,613	163,981,617
1939-40-----	96,027,437	69,511,054	11,117,816	176,656,307
1940-41-----	96,052,248	82,378,645	11,813,988	190,244,881
1941-42-----	99,551,329	83,550,653	12,732,922	195,834,902
1942-43-----	98,163,780	77,975,785	13,113,625	189,253,190
1943-44-----	91,209,110	104,678,007	16,117,618	212,004,735
1944-45-----	95,960,968	108,461,136	18,343,644	222,765,748

¹ Figures exclude San Francisco City and County.

² Property tax receipts include county property taxes for matching state school grants prior to 1934-35.

³ As far as possible school and other special district items have been removed prior to 1934-35 but a few minor amounts which were impossible to segregate still remain. Includes locally-shared revenues and federal and state subventions.

⁴ Nontax receipts contain a few minor items for school and special districts prior to 1934-35. As far as possible all large district items were eliminated.

Source: Annual financial reports of individual counties. Reports from county auditors to the committee. Original annual reports of financial transactions filed by individual counties with Office of State Controller.

The war years show only moderate changes in total county receipts. In 1944-45 the total of \$222,765,748 was only 17 percent above that of 1940-41 and increased subventions and grants account for the bulk of this increase. (Chapter 3, Section 1.)

The General Property Tax

The general property tax provided \$115,050,768 of receipts in 1929-30 which was higher than its yield in any of the subsequent years. One of the reasons for this maximum yield was the inclusion of amounts collected to match state grants in support of elementary and secondary public schools through 1933-34. The low point in receipts from general property taxes was reached in 1934-35 and thereafter receipts from this source increased as a result of the addition of State assessed property to county assessment rolls in 1935-36, the generally increased assessed valuations of locally assessed property, and higher tax rates. A prewar peak was reached in 1941-42, when total receipts from the general property tax amounted to \$99,551,329. In the war years subsequent to 1941-42,

the yield shows relatively mild declines to a war-time low of \$91,209,110 followed by a recovery to \$95,960,968 for the year 1944-45. Present evidence indicates that when complete and final figures for 1945-46 and 1946-47 are available, further increases will prevail.

Since 1929-30, the property tax has become less and less important as a source of county receipts while subventions and grants have steadily ascended to a more important position. As a consequence, general property taxes, which at one time were the principal support of county governments, now occupy a secondary role. Table 2 indicates the declining trend in the proportion of total county receipts provided by general property taxes. Property taxes provided over 75 percent of total county

TABLE 2

Percentage of Total County Receipts Derived From Property Taxes

Percentages	Number of counties			
	1930-31	1935-36	1940-41	1944-45
75 and over-----	52	6	0	0
50 to 74-----	4	50	26	11
25 to 49-----	1	1	31	46
0 to 24-----	0	0	0	0
Total -----	57	57	57	57

receipts for 52 counties in 1930-31. This percentage steadily declined for the majority of the counties until by 1944-45, they provided only between 25 and 49 percent of total receipts for the majority of the counties.

While the table above demonstrates the declining percentages of total receipts comprised by county property taxes between 1930-31 and 1944-45, the data below indicates the decline of aggregate property tax receipts for all the counties as a percentage of aggregate total county receipts and the increasing percentage of these total receipts which subventions and grants, in the aggregate, have become since 1930-31.

TABLE 3

Total County Receipts by Source

Source	Percentage of total receipts			
	1930-31	1935-36	1940-41	1944-45
Property taxes -----	77.9	69.7	50.5	43.1
Subventions and grants	12.1	22.4	43.3	48.7
Nontax receipts -----	10.0	7.9	6.2	8.2
Total -----	100.0	100.0	100.0	100.0

Per capita property tax receipts also declined over the period from 1930-31 to 1944-45. This is obviously due to the great increases in population between these years and to the smaller percentage increases in receipts from property taxes. Table 4 shows that per capita receipts from general property taxes varied between \$20 and \$39.99 for 45 counties in 1930-31, and by 1944-45, 49 counties revealed per capita receipts from property taxes of less than \$30.

These changes in receipts from general property taxes must obviously be explained in terms of the two determinants of its yield, (excluding

TABLE 4
Per Capita Receipts From County Taxes

Per-capita property tax receipts	1930-31	Number of counties 1940-41	1944-45
\$70.00 and over-----	0	0	1
60.00 to 69.99-----	1	1	1
50.00 to 59.99-----	0	0	1
40.00 to 49.99-----	5	0	1
30.00 to 39.99-----	21	5	4
20.00 to 29.99-----	24	23	15
10.00 to 19.99-----	6	27	28
0.00 to 9.99-----	0	1	6
Total -----	57	57	57

delinquency), viz., the tax base of net assessed valuations and the tax rate. The following two sections will relate changes in these two variables over this same period to the changes indicated in the foregoing relative to property tax receipts (Chapter III, Section 2).

A. Assessed Valuations

The net assessed valuation of property subject to county taxation is shown in Table 5. These valuations declined from a high of \$6,227,631,371 in 1929-30 to a low of \$4,548,704,368 in 1933-34, and this decline may be explained by reference to two important factors. In part, the decline is a reflection of the general decline in economic activity during the depression of the early thirties. On the other hand, it also reflects the inflated property values which resulted from the real estate and building boom of the late twenties, much of which was concentrated in the southern part of the State. This inflation of values, which gave rise to the possibility of such a significant subsequent decline is at least suggested by presumptive evidence. In the period 1920-21 to 1930-31, net assessed valuations in eight southern counties rose by 172 percent as compared with an increase of 30 percent in the remainder of the counties of the State. Similarly, with respect to the depression decline, the eight southern counties showed a drop of 33 percent compared with 14 percent in the remainder of the counties of the State. It is, of course, impossible to estimate which of these two major causes—the generally depressed conditions of the thirties or the artificial inflation of property values which took place earlier—was responsible for the bulk of this collapse in total assessed valuations for all the counties of the State, but both sets of circumstances contributed.

In 1934-35, despite the fact that many counties reached a low point in assessed valuations, minor recoveries in the major counties gave rise to a small increase in the total. The figure for assessed valuations in 1934-35 increased to \$4,649,274,553, and a more significant increase appears in 1935-36, bringing the total to \$5,784,522,742. Undoubtedly some real economic recovery from the low point of the depression contributed to this increase in assessed valuations, but a more important factor was the addition of state assessed property to the county tax base under provisions of the Riley-Stewart Amendment. Also in this same year horizontal percentage increases in assessed valuations were ordered in 31 counties by the State Board of Equalization. Three counties were similarly ordered to decrease assessed valuations, but these three counties were unimportant in terms of the total. Thus, even though the total for

TABLE 5

Net Assessed Valuation of Property Subject to Taxation by Counties¹

Year	Net assessed valuation of locally assessed property	Net assessed valuation of state assessed property	Total net assessed valuation
1929-30	\$6,227,631,371		\$6,227,631,371
1930-31	6,171,409,142		6,171,409,142
1931-32	5,950,991,550		5,950,991,550
1932-33	5,149,787,242		5,149,787,242
1933-34	4,548,704,368		4,548,704,368
1934-35	4,649,274,553		4,649,274,553
1935-36	4,972,987,702	\$811,535,040	5,784,522,742
1936-37	5,017,168,458	835,606,250	5,852,834,708
1937-38	5,218,700,355	858,635,200	6,077,335,555
1938-39	5,331,580,093	850,870,970	6,182,451,063
1939-40	5,409,379,545	862,881,250	6,272,260,795
1940-41	5,444,859,239	873,141,830	6,318,001,069
1941-42	5,629,240,035	895,086,370	6,524,326,405
1942-43	5,929,633,271	918,372,840	6,848,006,111
1943-44	6,094,134,544	959,017,510	7,053,152,054
1944-45	6,438,777,349	984,562,330	7,423,339,679
1945-46	6,687,923,127	1,006,543,390	7,694,466,517
1946-47	7,189,585,407	1,050,551,440	8,240,136,847

¹ Excluding City and County of San Francisco.

Source: Recapitulations of county assessment rolls; State Board of Equalization; Biennial Reports.

1935-36 included both county assessed and state assessed property, assessed valuations were not as high as they were in 1929-30.

In the years subsequent to 1935-36, total net assessed valuations subject to taxation by counties, including state assessed property, show regular year to year increases reaching a high of \$8,240,136,847 in 1946-47. Two aspects of the behavior of assessed valuations during this period should be noted. First, it is apparent that the total of county assessed property valuations, although raised by horizontal valuation increases ordered by the Board of Equalization in 1935-36, 1936-37 and 1937-38, did not reach a figure equivalent to the 1929-30 total until 1944-45, almost at the end of the war period. Secondly, with the inclusion of state assessed property, the total assessed valuations of the counties surpass the 1929-30 total in 1939-40 and continue to climb steadily to the peak figure of 1946-47. While the factors of state assessed property and horizontal valuation increases ordered by the Board of Equalization were contributing to higher total assessed valuations in 1935-36 and after, it should be recalled that the totals would have been still larger if it had not been for the passage of the automobile "in lieu tax" in 1935-36, which deprived the counties of this amount of personal property in their tax base.

The foregoing analysis indicates the changes in the totals of county assessments after 1929-30 and the reasons for these changes. Certain additional characteristics of these changes in assessed valuations should also be considered. The state assessed property valuations added to county rolls in 1935-36 constituted about 14 percent of the aggregate total assessed valuations of the counties in that year. Since that time, they have maintained approximately the same relationship to the aggregate of total assessments, varying between 14.3 percent in 1936-37 and 12.7 percent in 1946-47. Among individual counties, however, state assessed property valuations constitute widely varying proportions of the total of assessed valuations. The following table indicates the number of counties which

fall within various classes of these proportions and the range over which the proportions of state assessed property valuations to total assessed valuations, within the counties, vary. These data also indicate that the percentages of state assessed property valuations to total assessments in the individual counties fluctuate very little over these selected years since the numbers of counties in the various class intervals change very little. In this respect the behavior of state assessed property valuations in individual counties seems to be similar to that which has been indicated for the aggregate situation of all counties.

TABLE 6

Percentage of State Assessed Property Valuations to Total Assessed Valuations

Percentages	Number of counties			
	1935-36	1940-41	1945-46	1946-47
60 and over-----	2	2	3	3
50 to 59-----	2	2	1	1
40 to 49-----	2	2	3	3
30 to 39-----	5	3	3	2
20 to 29-----	9	13	10	11
10 to 19-----	28	28	26	25
0 to 9-----	9	7	11	12
Totals-----	57	57	57	57

State assessed property valuations in outside areas are greater both in absolute amount, and as a percentage of the total assessed valuations of outside areas than they are for areas within incorporated cities. This has been one of the factors contributing to the decline of the proportion of total assessed valuations inside of incorporated areas from 67 percent in 1930-31 to 60 percent in 1946-47. Over the same period, the percentage of total assessed valuations comprised by property outside of incorporated areas has grown from 33 percent in 1930-31 to 40 percent in 1946-47.

Changes in the assessed valuations of the different component types of property which make up the total tax base, indicate a shift in the relative importance of land, improvements and personal property valuations for tax purposes in the years since 1929-30. Table 7 shows the assessed valuations of land, improvements, and personal property and money from 1929-30 to 1946-47 for county assessed property only. The assessed valuations of land declined from 1929-30 to 1934-35, increased again after 1934-35 to 1937-38 and declined thereafter until 1944-45. Over the years since 1930-31, the assessed valuation of land decreased from 57 percent of total assessed valuations, to 42 percent of total assessed valuations in 1946-47. The total of assessed valuations of land located inside incorporated areas declined from \$2,275,260,807 in 1929-30 to \$1,581,808,419 in 1946-47, a 30 percent decrease. Assessed valuations of land in outside areas were 15 percent higher in 1946-47 than in 1929-30. From 1944-45 to the present, the aggregate total of the assessed valuation of land has persistently improved and between 1945-46 and 1946-47 shows an increase of 7.5 percent which compares favorably with a 8.5 percent increase in assessed valuations for improvements and an increase of 11.3 percent in personal property.

Improvements, on the other hand, decline from a peak of \$1,840,720,712 in 1931-32 to the low point of 1934-35. From this minimum of \$1,534,092,369 total assessed valuations of improvements increase steadily

to a new high amount of over \$3,000,000,000 in 1946-47, with the result that improvement valuations, which constituted 29 percent of the total assessed valuations for all types of property in 1930-31, became 40 percent of this total in 1946-47. Personal property and money valuations also assumed a larger proportion of total assessed valuations over the period, rising from 14 percent in 1930-31 to 18 percent in 1946-47. (Chapter III, Section 2.)

TABLE 7

Locally Assessed Property Valuations by Types of Property^{1 2}

Year	Land	Improvements	Personal property and money
1929-30-----	\$3,622,000,293	\$1,785,726,337	\$819,904,741
1930-31-----	3,521,437,201	1,794,349,129	855,622,812
1931-32-----	3,443,112,240	1,840,720,712	667,153,598
1932-33-----	2,922,916,484	1,669,806,302	557,064,456
1933-34-----	2,470,467,795	1,612,889,490	465,347,083
1934-35-----	2,451,900,797	1,534,092,369	663,281,387
1935-36-----	2,662,979,742	1,679,653,437	630,349,523
1936-37-----	2,799,991,916	1,770,173,247	598,347,124
1937-38-----	2,873,855,378	1,879,372,997	629,833,302
1938-39-----	2,856,949,083	1,979,774,373	668,510,184
1939-40-----	2,802,741,157	2,096,115,621	693,701,711
1940-41-----	2,789,271,324	2,122,263,994	733,828,776
1941-42-----	2,762,930,351	2,232,076,734	844,770,065
1942-43-----	2,761,286,170	2,389,407,996	1,029,978,717
1943-44-----	2,755,512,086	2,493,370,819	1,073,049,598
1944-45-----	2,848,835,970	2,628,423,331	1,159,985,907
1945-46-----	2,914,444,637	2,777,992,471	1,219,612,472
1946-47-----	3,132,507,143	3,014,867,227	1,357,738,688

¹ Excluding City and County of San Francisco.

² Prior to 1936-37 assessed valuations for each type of property are net figures after deduction of exemptions. From 1936-37 forward, all figures are gross before the deduction of exemptions.

Source: Recapitulations of county assessment rolls; State Board of Equalization; Biennial Reports.

B. Property Tax Rates

An analysis of county property tax rates and the changes in their magnitude over time, is subject to many qualifications of data and limitations as to any conclusions which may be drawn from their behavior. In any one county, over time, the total county tax rates for different years may include or exclude many different items. Unbudgeted reserves or rates for building by taxation may be included in the total tax rate for one year and not in other years, making it inadvisable to compare total county tax rates with any implication that the changes which occur are the result of changes in the same component rates over the period. It is also inadvisable to compare the component rates for various county funds for any one county over time unless it is fully realized that the rate for a given fund may include different county functions and services from one year to another. For example, the general fund rate for any one county may include only general government functions for several years, and then include highway, welfare and security and other functions in other years.

Not only is it unrealistic and inadvisable to draw inferences from over time without full knowledge of the composition of both total rates changes in county tax rates about the various functions of any one county and rates for various funds, but it is also equally hazardous to make comparisons of changes in total county tax rates over time between different

counties, or of changes in what appear to be, at least in name, rates for similar county funds in several counties. Over several years, several different counties may have many different funds included in their total tax rates and include or exclude the tax rates for these different funds in different years. Over a similar period, similar funds comprising the total tax rate in several counties may include many dissimilar items and include these dissimilar items in one year and not in another.

As used herein, the term "tax rate" refers to the basic total tax rate only. This rate is the sum of all of the separate fund rates uniformly applicable throughout the county to all property both inside and outside of incorporated areas. It is distinct from what might be considered as the maximum total tax rate which in addition to the basic rate includes all other rates which are applicable only to all or a part of the county property located outside of incorporated areas. This maximum rate is even more heterogeneous in its component structure. In all cases, tax rates are stated in terms of dollars or fractions of one dollar applied to units of \$100 of assessed valuations.

The analysis of changes and trends in county tax rates presented in this report takes full cognizance of these limitations of the data and concentrates on a description of the behavior of the basic total tax rate only. Difficult as this is for the reasons noted above, such description, if interpreted with care, is useful. The description is organized in terms of four time periods: (1) 1930-1935; (2) 1935-1940; (3) 1940-1945; and (4) the first full postwar years, 1945-46.

Table 8 indicates the highest, lowest and median basic total tax rates prevailing among the counties in five selected years.

TABLE 8

Basic Total Tax Rates

(Per \$100 of Assessed Valuation)

	1930-31	1935-36	1940-41	1945-46	1946-47
Highest -----	\$2 78	\$2 99	\$3 50	\$3 09	\$3 389
Median -----	1 47	1 19	1 54652	1 41	1 7475
Lowest -----	0 82	0 575	0 65	0 76	1 00

In the period 1930-31 to 1935-36, basic total tax rates were reduced in 40 counties, while the remaining 17 counties raised their respective rates. The percentage decline in the median tax rate in this period was 19 percent. The pattern of reductions in tax rates for separate funds, evidenced by these decreases in basic total tax rates is of considerable interest. During this period 44 counties lowered their rates for general fund purposes, while 40 counties reduced salary fund tax rates. On the other hand, 31 counties experienced an increase in tax rates for welfare and security purposes. The record indicates, however, that the weight of the changes during the early thirties was in the direction of lowered basic total rate rates for most of the counties.

In the period from 1935-36 forward, and particularly in the years immediately subsequent to 1935-36, further reductions in basic total tax rates might have been expected. The Riley-Stewart Amendment and its effect on the magnitude of assessed valuations, discussed heretofore, might have been expected to provide an opportunity for tax rate reductions.

The experience, however, was to the contrary, and, in the period 1935-36 to 1940-41, basic total tax rates were increased by 50 of the State's 57 counties. Thirty-five counties increased General Fund tax rates, 39 increased salary fund tax rates and 40 increased welfare and security. The median tax rate increased 30 percent during this period.

As a consequence of the war many counties witnessed a large and rapid population growth, shifts in population distribution, and an unparalleled expansion of employment and economic activity between 1940-41 and 1945-46. All of these characteristics would normally point to an unprecedented demand for, and the expansion of, the services provided by county government. Yet, by virtue of the same cause, this was a period in which many of the usual current expenditures of county governments for operation, maintenance, improvements, and capital outlay could not be undertaken because of shortages of both labor and materials. With respect to the basic total tax rate it was a period characterized by reductions in 39 counties. The reduction in the median basic total tax rate amounted to 9 percent. These reductions, resulted primarily from lowered general fund and welfare and security fund rates. As might be anticipated, 50 of the counties found it necessary to raise tax rates for salary funds. Thirty-four counties reduced general fund rates while 51 reduced their welfare and security fund tax rates.

The period from 1945-46 to 1946-47, which was nearly all subsequent to the termination of hostilities, is a period of spectacular change in the behavior of basic total tax rates. The basic total tax rate increased in 54 counties during this period, while the remaining three counties showed decreases of insignificant magnitude, the largest of which was less than 4 percent. Increases, on the other hand, were large both in absolute magnitude and as percentages of 1945-46. The percentage increases in basic total tax rates ranged from 2 percent to 106 percent, and the percentage increase in the median tax rate was 24 percent. Over 40 counties increased their general and salary fund tax rates and more than 30 counties increased welfare and hospital fund rates. The end of the active hostilities brought continuing increases in wages, salaries and prices and these, in turn, brought pressures for higher wages and salaries to county employees and higher costs of material and equipment. Increased need for additions and repairs to county roads, hospitals, and other public facilities and institutions, and the possibility of undertaking the necessary steps to fulfill such needs also became apparent at this time. This, together with what must have been viewed, in the light of increased money incomes of a large segment of the population, as a decreased resistance to increased local tax rates, resulted in sharp upward changes in the basic total tax rate for the counties of California considered in the aggregate. (Chapter III, Section 2).

C. Nontax Receipts

The category of nontax receipts includes licenses and permits, fines and penalties, receipts from privileges and franchises, property sales and rentals, interest, fees and commissions, receipts from special services rendered, and a large number of miscellaneous items too numerous to set forth in separate classifications. The total of nontax receipts has been a relatively unimportant item in the total receipts of county governments. For the counties of California, as an aggregate, they represented

10 percent of the total receipts in 1930-31, 7.9 percent of the total in 1935-36, 6.2 percent of the total in the year 1940-41 and in the last year for which the calculation can be made, 1944-45, they represent 8.2 percent of the total receipts of county government. Table 9 indicates the number of counties falling within certain class intervals of the percentages of total county receipts comprised by these nontax receipts. It is clearly apparent that in each of the selected years, the majority of counties received between 3 and 8.9 percent of their total receipts from these fiscal devices. In 1944-45 there is a distinct increase in the number of counties receiving over 9 percent of their total receipts from nontax sources.

TABLE 9

Percentage of Total County Receipts Derived From Nontax Sources

Percentage	Number of counties			
	1930-31	1935-36	1940-41	1944-45
12.0 to 14.9-----	4	2	0	3
9.0 to 11.9-----	10	12	4	16
6.0 to 8.9-----	23	24	23	17
3.0 to 5.9-----	20	18	28	19
0 to 2.9-----	0	1	2	2
Total-----	57	57	57	57

The percentage of total receipts comprised by nontax revenues varies, of course, from county to county and from year to year for the same county. In no case, however, do nontax receipts constitute a major proportion of the total. Fees and commissions and receipts from special services comprise the major segment of nontax receipts over most of the years while all of the other items vary around 1 percent of total county receipts. Table 10 indicates the relative importance of both the total of nontax receipts and the various component items to the total of county receipts for various selected years.

TABLE 10

Percentages of Total Receipts From Various Nontax Sources to Total County Receipts
(Aggregate Totals)

Source	Percentages of total receipts			
	1930-31	1935-36	1940-41	1944-45
Licenses and Permits-----	0.1	0.3	0.4	0.4
Fines and Penalties-----	0.7	1.0	0.9	1.0
Privileges and Franchises-----	0.3	0.4	0.3	0.3
Property Rentals-----	0.2	0.1	0.1	0.1
Interest-----	2.2	1.0	0.3	0.5
Fees and Commissions-----	2.5	3.1	2.3	2.5
Special Services-----	1.0	1.0	1.0	2.3
Property Sales-----	0.7	0.2	0.3	0.4
Miscellaneous-----	2.3	0.8	0.6	0.7
Total Nontax Receipts-----	10.0	7.9	6.2	8.2

As Table I reveals, the total of nontax receipts stood at a prewar high in 1929-30 when the total nontax receipts for California Counties reached \$16,651,317. The total then decreased and reached a minimum amount in 1935-36 of \$8,430,621, or slightly more than 50 percent of the total for 1929-30. Subsequent to 1935-36, nontax receipts show constant but relatively small additions annually but do not approximate the 1929-30 level

until 1943-44. The last year for which data are presented shows a large increase over 1943-44. This change to an all time high in 1944-45 of \$18,343,644 represents a 55 percent increase over 1940-41 and a 14 percent increase over the previous year of 1943-44. Improvement in these receipts came mostly from fees and commissions, special services and interest. While the rise in these receipts is large in percentage terms, the total of nontax receipts is such a small fraction of total county receipts that their effect is negligible with respect to changes in the latter (Chapter III, Section 3).

D. Subventions and Grants

Receipts of county governments from subventions and grants includes both receipts from state-collected, locally-shared taxes and from grants for various aids. These receipts increased from \$16,886,585 in 1929-30 to an all time high of \$108,461,136 in 1944-45, an increase of 542 percent. Clearly the increase in total county receipts is largely attributable to the increase in receipts from subventions and grants. These funds represented 12 percent of total receipts in 1930-31 and by 1944-45 they comprised 49 percent of the total.

The great increases in subventions and grants can only be explained in terms of a variety of factors. The first significant year to year increase is reflected in the change from 1931-32 to 1932-33, and stems from relief grants in this period. The next major increase from \$23,843,146 in 1935-36 to \$39,424,559 in 1936-37 results principally from the motor vehicle in lieu tax and from receipts of federal grants for various categorical aids under the Social Security Act. The large increase from 1935-36 to 1936-37 is followed by a further large increase to 1937-38 of \$57,893,522, which is largely the result of further increases in federal grants for these same categorical aids, especially aid to the aged. No further increases of a similar order of magnitude occur in the figures for subventions and grants until the increase from 1942-43 to 1943-44, when the totals increased from \$77,975,785 to \$104,678,007. This is largely a result of further increases in state grants in support of the needy aged, resulting from the action of the 1943 Legislature. This action increased the amount of aged aid and reduced the support required from counties, but placed the added cost on the State Treasury.

The total of subventions and grants has thus become a larger and larger segment of the total of county receipts. Table 11, below, indicates the proportions of total county receipts which have been provided by

TABLE 11

Percentages of Total County Receipts Derived From Subventions and Grants

Percentages	Number of counties			
	1930-31	1935-36	1940-41	1944-45
70 and over.....	0	0	0	1
60 to 69.....	1	0	1	8
50 to 59.....	0	1	7	20
40 to 49.....	0	1	35	21
30 to 39.....	0	7	13	11
20 to 29.....	4	35	1	1
10 to 19.....	39	15	0	0
0 to 9.....	13	0	0	0
Total	57	57	57	57

subventions and grants over selected years. These data show a continuous movement of the majority of counties to positions where more and more of their receipts are derived from subventions and grants. In 1930-31, 52 counties received less than 20 percent of their receipts from this source. By 1935-36, a majority of counties were securing between 10 and 30 percent of their total receipts from these aids, and in 1940-41, 48 counties show between 30 and 50 percent of their total receipts from this source. Again in 1945-46, a majority of the counties moved into even higher percentages with between 40 and 60 percent of their total receipts deriving from subventions and grants.

Both the relative importance of the amounts received for different purposes by the counties, and the relative importance of shared revenues as against subventions in the total of subventions and grants changed considerably over this period. Apportionments for highway purposes constituted over 81 percent of the total of receipts from subventions and grants in 1930-31. By 1944-45, receipts for this purpose amounted to only 14 percent of the total. Categorical aids to needy children, blind, and aged which comprised 11 percent of total subventions and grants in 1930-31, had increased to a point where they provided 77 percent of the total in 1944-45. These changes denote a shift from a situation where the great bulk of the funds from this source derived from state aid for highway purposes to the position where federal and state grants in support of categorical aids now provide the major proportion of the total. In 1930-31, approximately 82 percent of the funds received in this category of subventions and grants came from locally-shared revenues, while 18 percent derived from subventions. Shared revenues provided only 19 percent while subventions provided 81 percent of total receipts from subventions and grants in 1944-45 (Chapter III, Section 4).

Summary of Expenditures

The behavior of the expenditures of county governments is viewed only since 1934-35, because prior to that time it is difficult to segregate outlays from the proceeds of bond issues from payments made from current receipts for both operations and current capital outlay. In the absence of a meticulous accounting investigation of the records of each county for each year prior to 1934-35, it is not possible to derive comparable expenditure figures over as long a period as considered in the description of receipts.

TABLE 12

Expenditures of Counties¹

<i>Year</i>	<i>Total expenditures</i>	<i>Year</i>	<i>Total expenditures</i>
1934-35 -----	\$102,530,613	1940-41 -----	\$188,002,134
1935-36 -----	103,157,100	1941-42 -----	190,101,542
1936-37 -----	125,631,223	1942-43 -----	179,995,415
1937-38 -----	150,075,429	1943-44 -----	203,951,733
1938-39 -----	168,376,951	1944-45 -----	217,818,420
1939-40 -----	173,865,595		

¹ Excluding City and County of San Francisco.

Source: Annual financial reports of individual counties. Reports from county auditors to the committee. Original annual reports of financial transactions filed by individual counties with the Office of the State Controller.

Table 12 shows the changes in the aggregate total expenditures of all the counties over the period from 1934-35 to 1944-45. From 1934-35 to 1944-45, aggregate total expenditures of the counties increased by more than 100 percent. The absolute figures for this total increased from \$102,530,613 for 1934-35 to \$217,881,380 for 1944-45. It should be noted that total payments increased steadily from 1934-35 well into the war period in 1942-43. They fall off in 1942-43, but then increased to new levels in 1943-44 and 1944-45 which were even higher than the previous high total of 1941-42.

Changes in the distribution of total expenditures as between the various functions of county government are set forth in Table 13 below for three selected years.

TABLE 13
Percentage Distribution of Total County Expenditures for
Governmental Functions and Debt Services

Function	Percentage of total expenditures		
	1935-36	1940-41	1944-45
General government	18.1	12.7	12.5
Protection	9.4	6.9	8.3
Health and sanitation	3.2	2.5	2.9
Highways and bridges	18.0	11.3	9.3
Recreation	1.1	1.0	0.7
Charities and corrections	41.7	60.0	62.0
County education	1.9	1.2	1.3
Debt interest and redemption	4.9	2.3	1.5
Miscellaneous	1.7	2.1	1.5
Total	100.0	100.0	100.0

These percentages indicate that charities and corrections constitute the most important function among these activities of county government. Not only do payments for charities constitute 60 percent and better of total expenditures in 1940-41 and 1944-45, but the percentage increase in amounts spent for this function was over 160 percent between 1935-36 and 1940-41. It should be remembered, regarding this function, that the great increase in the amounts spent for charities and corrections since 1935-36 has not been entirely county-determined. For this category of county functions, the amount has been largely determined by higher legislative authority and referred back to the counties. In this regard it should also be remembered that the great increases in subventions and grants during this period were for this very same function. They do not, therefore, represent large increases in county receipts to finance essentially county-determined services. They simply pay for a function wherein the county is largely only the administrative agency and not the determining agency.

The impact of higher wages, salaries, and prices occasioned by the war on costs of county government are not shown too clearly by these figures for total expenditures through 1944-45. During the war years expenditures for services, outlays, and salaries were largely restricted. The costs of additional personnel, higher wages, greater outlays and deferred general maintenance expenditures will be more significantly reflected in figures for 1945-46 and 1946-47. Examination of the final expenditure data for 46 counties in 1945-46 shows substantial increases in their total expenditures over 1944-45, and the budgeted expenditures

for these 46 counties in 1946-47 indicate similar large increases in the total for this very latest years. (Chapter III, Section 5.)

CHAPTER 4

Financing City Government

The present section provides an analysis for the cities which is similar in organization to the preceding section on county governments. Many of the problems of the cities, however, must be differentiated sharply from those of the counties and, as a consequence, the organization of this section cannot be, in all respects, identical with that followed in the section on county government.

Receipts of Municipalities

Historically the property tax has constituted the principal source of revenue for the support of municipal governments, but in recent years, its yield has not kept pace with needs of cities for funds. The combination of a relatively inflexible tax base and the tax rate limits in effect in most cities has seriously restricted the revenue raising possibilities of this tax. Moreover the rising cost of government during the last several years has greatly intensified difficulties which were already apparent and which arise from heavy reliance on the property tax.

Cities have resorted to a variety of sources to meet their needs for more funds. Among the more universally applied fiscal devices are, business licenses based on gross receipts or number of employees or, in the case of places of amusement, on number of admission (amusement taxes); charges for services such as garbage collection and sewage disposal previously financed out of property tax receipts; parking meters; transfers of the earnings of municipally-owned utilities for general city purposes; and, retail sales taxes. With the adoption of these methods of raising funds and with the sharing by cities in the proceeds of certain state collected taxes, the property tax has declined in relative importance, although it is still the largest single source of receipts in most cities.

The aggregate receipts of California's municipalities between 1929-30 to 1944-45 are shown in Table 14. The receipts included are those from (1) general property taxes; (2) other locally-collected receipts, such as licenses, fees, fines, rentals, and similar receipts; and (3) state subventions and grants. Total receipts as used in this report refers to the sum of receipts from these three categories. Receipts from public service enterprises,³ special assessments, bond sales, and trust transactions are excluded from Table 14. It is believed that this procedure gives a more useful picture of municipal finance. The City and County of San Francisco is considered separately in a later section of the report and is therefore excluded from Table 14.

Total Receipts

Total receipts from the three sources included in Table 14 were \$95,918,143 in 1929-30. During the early thirties shrinking property valuations and declining levels of economic activity were reflected in reduced municipal receipts. The low point was reached in 1933-34 when receipts totaled \$71,355,259 and were thus 26 percent below those of

³ Earnings of public service enterprises transferred for general city purposes cannot be determined with sufficient accuracy to warrant their inclusion in Table 14.

1929-30. Total receipts increased each year following 1933-34, reaching \$98,032,446 in the last pre-war year (1940-41). This was approximately 37 percent above the low point of 1933-34 and 2 percent above 1929-30. The principal factors responsible for the increase in total receipts in the latter half of the thirties were (1) the addition of state assessed property to the municipal tax base in 1935-36 under provisions of the Riley-Stewart Amendment; (2) the improvement in economic conditions which was reflected in rising valuations of locally assessed property and in larger receipts from licenses, building and other permits, fees, and various other receipts; and, (3) the sharing by cities in the proceeds of state collected gasoline and motor vehicle taxes and liquor licenses.

Total receipts increased in every year except one after 1940-41 and reached a total of \$119,140,711 in 1944-45 which was 22 percent above that of 1940-41. Both property tax and other locally collected receipts increased during the war years. State subventions decreased by over \$3,500,000 in 1942-43 and then recovered moderately in the two following years. (Chapter IV, Section 1.)

TABLE 14

Receipts of Municipalities From Selected Sources ¹

Year	General property taxes ²	Percent- age of total	Other locally-collected receipts ³	Percent- age of total	State subventions and grants	Percent- age of total	Total receipts
1929-30	\$74,084,839	77.2	\$21,747,710	22.6	\$85,594	---	\$95,918,143
1930-31	73,007,950	78.2	20,141,783	21.5	102,430	---	93,252,163
1931-32	70,275,372	81.3	15,951,033	18.4	152,839	---	86,379,244
1932-33	57,078,111	78.2	15,381,404	21.0	506,802	---	72,966,317
1933-34	55,625,982	77.9	14,991,228	21.0	738,049	1.0	71,355,259
1934-35	55,650,736	76.8	14,036,735	19.3	2,689,315	3.7	72,376,786
1935-36	61,219,421	75.3	15,706,233	19.3	4,330,846	5.3	81,256,500
1936-37	60,444,956	67.7	18,454,671	20.6	10,371,224	11.6	89,270,851
1937-38	60,923,126	68.0	18,556,609	21.0	9,750,100	10.8	89,529,835
1938-39	63,510,587	67.4	20,868,595	22.1	9,775,989	10.3	94,155,171
1939-40	63,342,051	64.9	21,739,303	22.2	12,409,135	12.7	97,490,489
1940-41	62,996,707	64.2	23,449,817	23.9	11,585,922	11.8	98,032,446
1941-42	66,741,732	64.1	25,678,587	24.6	11,608,573	11.1	104,028,892
1942-43	68,747,776	67.2	25,367,247	24.8	8,077,149	7.9	102,192,172
1943-44	71,625,755	65.3	29,153,129	26.5	8,902,907	8.1	109,681,791
1944-45	75,424,632	63.3	34,157,299	28.6	9,558,780	9.9	119,140,711

¹ Excluding City and County of San Francisco.

² Includes delinquent taxes and penalties and intangibles from counties.

³ Includes licenses and permits, fines and penalties, privileges, rent of property, interest fees and charges for services, gifts, and in 1944-45 sales tax receipts of \$116,530.

⁴ Less than 1 percent.

Source: State Controller, Annual Reports of Financial Transactions of Municipalities and Counties. Some rearrangement of receipts and certain minor exclusions in the earlier years have been made on the basis of the original reports submitted to the State Controller.

General Property Taxes

General property tax receipts declined from \$74,084,839 in 1929-30 to \$55,625,982 in 1933-34, a reduction of 25 percent. Assessed valuations fell sharply during this period and in many cities tax rates were cut at the same time in response to the widespread demand of property owners for tax relief. Rising tax delinquency further reduced property tax collections.

The addition of state assessed property to the municipal tax base in 1935-36 under provisions of the Riley-Stewart Amendment and the

upward movement of locally assessed property valuations with improvement in economic conditions were reflected in somewhat higher property tax receipts in the latter half of the thirties. In 1940-41 property tax receipts were \$62,996,707, or 13 percent, above the low point of 1933-34. This was more than \$11,000,000, or 15 per cent, below the 1929-30 figure.

During the war years assessed valuations generally increased, but as shown later these increases were moderate except in a few centers of war industry. Tax rates were also raised in many cities during these years. As a result, property tax receipts increased by \$12,427,925, or 20 percent, between 1940-41 and 1944-45. Receipts from property taxes in 1944-45 were \$1,339,793 above those of 1929-30.

Thus the principal source of funds for the support of general municipal government yielded approximately the same amount in 1944-45 as it had 15 years earlier. In the years since 1929-30, however, the population of most cities had increased substantially, particularly during the war period, and a great expansion of municipal services had occurred.

A study of 114 cities shows that only 22 had higher per capita property tax receipts in 1944-45 than in 1930-31. The following tabulation summarizes data for these cities:

TABLE 15
Per Capita Property Tax Receipts

Per capita property tax receipts	Number of cities	
	1930-1931	1944-45
\$25 00 and over-----	13	4
22 50 to 24 99-----	6	4
20 00 to 22 49-----	4	5
17 50 to 19 99-----	12	5
15 00 to 17 49-----	17	8
12 50 to 14 99-----	17	18
10 00 to 12 49-----	15	25
7 50 to 9 99-----	17	20
5 00 to 7 49-----	8	17
2 50 to 4 99-----	4	8
Less than 2 50-----	1	--
	<u>114</u>	<u>114</u>

The property tax has declined in relative importance as a source of municipal receipts in recent years. In many cities the combination of a relatively inflexible property tax base and tax rate limits has required increase of use of nonproperty tax sources. This together with the sharing by cities in state collected taxes has resulted in a decreasing proportion of total receipts coming from property taxes. This is indicated in the following table.

TABLE 16
Percentage of Total Receipts Derived From Property Taxes

Percentages	Number of cities	
	1930-1931	1944-45
80 and over-----	81	7
70-79-----	97	25
60-69-----	52	84
50-59-----	23	80
40-49-----	15	51
30-39-----	3	23
20-29-----	1	10
Less than 20-----	2	3
Totals-----	<u>274</u>	<u>283</u>

Table 16 shows that, for the cities as a whole, in the early thirties property taxes supplied about four-fifths of total receipts while less than two-thirds of total receipts came from this source in 1944-45.

The explanation of these changes in the yield of the property tax discussed above is to be found in the behavior of assessed valuation and tax rates. (Chapter IV, Section 2.)

A. Assessed Valuation

The predepression high point in assessed valuation of property subject to taxation by cities was reached in 1929-30, when the total of assessed valuation stood at \$4,577,776,215. This figure represents an increase of over 134 percent in the decade of the twenties. While all the cities of the State shared in the increased valuations which occurred during the twenties, the increase was not distributed equally among them. On the contrary, the increase was heavily concentrated in the southern part of the State. Seventy-six percent of the increase from 1920-21 to 1929-30 in total net assessed valuation of property subject to taxation by cities occurred in the cities located in Los Angeles County and 48 percent of the increase occurred in the City of Los Angeles.

The general movement of net assessed valuations of property subject to taxation by cities during the early thirties was downward. They reached their lowest point in 1934-35 when the total stood at \$3,368,819,100. A considerable increase in the total occurred in 1935-36 which is almost entirely explained by the addition of state assessed property to the municipal assessment rolls under the provisions of the Riley-Stewart Amendment. The total of assessed valuation of property subject to taxation by cities does not thereafter reach a level equal to, or in excess of, the 1929-30 level until 1944-45 when it stood at \$4,732,658,085. This is all the more remarkable when it is remembered that this total includes state assessed property which did not appear as a part of the 1929-30 total. The assessed valuation of locally assessed property subject

TABLE 17
Net Assessed Valuation of Property Subject to Taxation by Cities¹

Year	Net assessed valuation of locally assessed property	Net assessed valuation of state assessed property	Total net assessed valuation
1929-30-----	\$4,577,776,215	-----	\$4,577,776,215
1930-31-----	4,533,582,750	-----	4,533,582,750
1931-32-----	4,471,098,168	-----	4,471,098,168
1932-33-----	3,893,890,360	-----	3,893,890,360
1933-34-----	3,449,312,671	-----	3,449,312,671
1934-35-----	3,368,819,100	-----	3,368,819,100
1935-36-----	3,408,709,274	\$439,160,260	3,847,869,534
1936-37-----	3,386,250,899	446,444,370	3,832,695,269
1937-38-----	3,498,067,725	438,434,990	3,936,502,715
1938-39-----	3,594,652,809	447,852,420	4,042,505,229
1939-40-----	3,644,451,505	452,447,530	4,096,899,035
1940-41-----	3,628,442,416	455,854,240	4,084,296,656
1941-42-----	3,756,489,523	468,770,050	4,225,259,573
1942-43-----	3,959,257,170	479,883,460	4,439,140,630
1943-44-----	4,034,024,407	492,639,860	4,526,664,267
1944-45-----	4,230,560,985	502,097,100	4,732,658,085
1945-46-----	4,375,021,165	509,240,120	4,884,261,285
1946-47-----	4,827,632,308	535,935,950	5,363,568,258

¹ Excluding City and County of San Francisco.

Source: Recapitulation of county and city assessment rolls; State Board of Equalization, Biennial Reports; State Controller, Annual Report of Financial Transactions of Municipalities and Counties.

to taxation by cities did not reach a level equal to, or in excess of, the 1929-30 level until 1946-47. Table 17 presents a complete picture of the changes in aggregate net assessed valuations of the cities over the period from 1929-30 to 1946-47.

While it is true that, except for the recovery of the later war years, the declines in the total of assessed valuation of property subject to taxation by cities were never entirely recovered and the total remains less than that for 1929-30, it is by no means true that the several constituents of this total moved in similar directions. On the contrary, with respect to locally assessed property, it should be noted that the assessed valuation of land declined substantially while the assessed valuation of improvements did not show any such significant decreases during the thirties and reveals very considerable increases in the late thirties. This has had the effect of deposing the assessed valuation of land as the principal segment of the total of locally assessed property. In the twenties land typically was the most important component of the city assessment roll, accounting for one-half or more of the total assessed valuation while the value of improvements represented a little less than a third. This position is almost exactly reversed in later years with the value of improvements accounting for about one-half of the municipal assessment rolls and the value of land accounting for about one-third. While the principal impact of the fall in land values on the total of assessed valuations of property subject to city taxation was, naturally, the result of large decreases in the metropolitan areas, the movement was by no means confined to the large cities. A number of relatively small cities suffered significant declines in the assessed valuation of land during this period. It is generally held that decreases in the assessed valuation of land in cities is a phenomenon associated with the decentralization of business which is more or less typical of these later years. Detailed figures showing the steadily declining importance of land values in the total of assessed valuations are presented in Table 18.

TABLE 18

Assessed Valuation of Locally Assessed Land, Improvements,
and Personal Property ¹

Year	Land	Improvements	Personal property
1929-30-----	\$2,543,898,719	\$1,542,751,938	\$491,125,558
1930-31-----	2,377,439,584	1,540,158,030	615,985,136
1931-32-----	2,364,379,591	1,586,994,684	519,723,893
1932-33-----	1,984,558,149	1,438,793,083	470,539,128
1933-34-----	1,680,502,786	1,379,606,976	389,202,909
1934-35-----	1,654,472,673	1,314,349,620	399,996,807
1935-36-----	1,626,173,264	1,354,415,692	428,120,318
1936-37-----	1,668,452,290	1,415,641,894	395,049,931
1937-38-----	1,668,034,413	1,493,322,273	454,321,471
1938-39-----	1,671,064,790	1,561,903,103	487,250,603
1939-40-----	1,639,051,188	1,636,427,075	501,121,945
1940-41-----	1,583,104,884	1,653,718,040	530,481,371
1941-42-----	1,544,373,620	1,740,859,683	611,355,314
1942-43-----	1,529,639,149	1,859,213,429	742,008,541
1943-44-----	1,506,746,789	1,928,272,336	764,785,267
1944-45-----	1,520,243,797	2,013,977,414	841,761,401
1945-46-----	1,548,714,087	2,116,467,487	880,412,055
1946-47-----	1,771,550,166	2,337,446,069	989,929,289

¹ Net valuation 1929-30 through 1935-36; gross valuation thereafter. The City and County of San Francisco is excluded.
Source: See Table 17.

In the cities in which valuations are determined by city assessors (172 cities in 1946), assessed valuations are generally higher than those placed on the same property by county assessors for county tax purposes. In the cities where assessment is performed by the county assessor for the city under contractual agreement (114 cities in 1946),⁴ the same valuation is used for both city and county tax purposes.

For those cities in which assessment is done by city assessors, it is incumbent upon the State Board of Equalization to ascertain the relationship between the county assessment level within the city and the city assessment level and to maintain the same relationship in its utility assessment levels. If a county assessed the taxable property within a city at one-half the city assessment of the same property, the State Board of Equalization is obliged to certify its assessments of utility properties to the city at twice the valuations certified to the county.

The State Board of Equalization publishes city ratios annually. These are the ratios between the assessed valuation of locally assessable property as equalized for city taxation and the assessed valuation of the same property as equalized for county taxation. A city ratio of 1.00 indicates that the city and county valuations are the same; a city ratio of 2.00 indicates that the city valuation is twice that placed upon the same property by the county assessor for county taxation. The following list summarizes the city ratios for 1946-47:

<i>City ratios</i>	<i>Number of cities</i>	<i>City ratios</i>	<i>Number of cities</i>
.90 -----	0	1.65 -----	6
.95 -----	3	1.70 -----	4
1.00 -----	147	1.75 -----	2
1.05 -----	6	1.80 -----	1
1.10 -----	7	1.85 -----	1
1.15 -----	9	1.90 -----	2
1.20 -----	14	1.95 -----	6
1.25 -----	12	2.00 -----	5
1.30 -----	9	2.05 -----	2
1.35 -----	6	2.10 -----	2
1.40 -----	4	2.15 -----	0
1.45 -----	6	2.20 -----	0
1.50 -----	14	Over 2.20 -----	4
1.55 -----	9		
1.60 -----	5	Total -----	286

Of the 147 cities with a ratio of 1.00, there are 115 for which assessment is done for the city by the county assessor under contractual agreement. Accordingly, the valuations are the same and the ratio is 1.00. In addition, in 32 cities with their own assessors, valuations for city and county tax purposes are the same. In three cities—King City, Grass Valley, and Santa Clara whose city ratios are .95—property valuations for city taxation are lower than valuations placed upon the same property by county assessors for county tax purposes. In the remaining 136 cities, valuations for city taxation are higher than valuations placed upon the same property by county assessors for county tax purposes.

The net assessed valuation of locally assessable property as equalized for city taxation and the net assessed valuation of the same property as equalized for county taxation are shown from 1929-30 through 1946-47 in Table 19.

⁴ Excluding City and County of San Francisco.

In 1929-30 the net assessed valuation of locally assessable property as equalized for city taxation was 9 percent above the net assessed valuation of the same property as equalized for county taxation. In the early years of the thirties county valuation of property inside cities dropped more sharply than did city valuations of the same property, with the result that in 1932-33 city valuation was 16 percent above county valuation of the same property. In 1940-41 city valuation was 9 percent above county valuation of the same property and the 1946-47 excess is also 9 percent. Although only 114 cities have their assessments made under contractual arrangements with the counties, the property so assessed represents more than 80 percent of the total of locally assessed property subject to city taxation. This is, of course, the result of the fact that among the 114 cities which have their assessments determined by the county assessors under contractual agreement are to be found certain of the largest cities in the State, including Los Angeles, San Diego, Oakland, Fresno, Santa Monica, and Glendale. (Chapter IV, Section 2.)

TABLE 19

Net Assessed Valuation of Locally Assessable Property as Equalized for City and County Taxation

Year	Net assessed valuation of locally assessable property as equalized for city taxation ¹	Net assessed valuation of locally assessable property as equalized for county taxation ²	Amount by which city assessment exceeds county assessment
1929-30	\$4,577,776,215	\$4,208,708,796	\$369,067,419
1930-31	4,533,582,750	4,122,514,165	411,068,585
1931-32	4,471,098,168	3,965,697,923	505,400,245
1932-33	3,893,890,360	3,371,225,121	522,665,239
1933-34	3,449,312,671	2,945,684,587	503,628,084
1934-35	3,368,819,100	3,037,672,404	331,146,696
1935-36	3,408,709,274	3,113,650,882	295,058,392
1936-37	3,386,250,899	3,107,447,051	278,803,848
1937-38	3,498,067,725	3,212,694,606	285,373,119
1938-39	3,594,652,809	3,304,874,105	289,778,704
1939-40	3,644,451,505	3,349,149,803	295,301,702
1940-41	3,628,442,416	3,331,441,952	297,000,464
1941-42	3,756,489,523	3,458,281,095	298,208,428
1942-43	3,959,257,170	3,658,413,610	300,843,560
1943-44	4,034,024,407	3,728,559,141	305,465,266
1944-45	4,230,560,985	3,916,127,699	314,433,286
1945-46	4,375,021,165	4,049,691,791	325,329,374
1946-47	4,827,632,308	4,443,666,766	383,965,542

¹ Assessment by city assessors or by county assessors under contractual agreement with cities. The difference between the two valuations arises in connection with city assessment only.

² Assessment by county assessors.

Source: See Table 17.

Property Tax Rates in Cities

Property tax rates by funds have been secured from 55 charter cities, the City and County of San Francisco and 88 general law cities for the period 1929-30 through 1946-47. For an additional 41 general law cities, property tax rates by funds have been secured for selected years from 1929-30 to 1946-47. The general law cities have been selected from various size groups and geographic areas of the State.

Examination of city tax rates reveals that there has been no single pattern of behavior which would characterize all cities. This results from

the fact that the two determinants of tax rates—the amount of revenue to be raised through ad valorem taxation and the assessed valuation of taxable property—have not followed a common course in all cities.

During the early thirties expenditures for general municipal purposes were reduced in many cities by more than enough to counteract the shrinkage in the valuation of taxable property, with the result that tax rates for general purposes declined. These expenditure reductions were effected in considerable part by curtailing or eliminating budgetary provision for replacement of equipment and for needed improvements and extensions of physical facilities. In other cities, however, the tax base shrank more rapidly than expenditures could be curtailed and tax rates for general purposes consequently moved upward. This was the case in a number of cities in which mandatory provision for libraries, parks, and other services were prescribed by charter. Tax rates for bond interest and redemption likewise followed no common pattern. In many cities reductions in bond service requirements, as outstanding issues were retired, were more than enough to counteract shrinkages in the tax base; in other cities bond service requirements continued to increase during the early thirties, with the result that reductions in tax rates for general purposes were more than offset by higher tax rates for bond interest and redemption. Total tax rates accordingly moved upward in these cities notwithstanding budget reductions for general purposes.

The summary below indicates the extent of changes in *total* tax rates for all purposes between 1929-30 and 1934-35:

	<i>Number of charter cities</i>	<i>Number of general law cities</i>
1934-35 total property tax rates higher than 1929-30 total property tax rates.....	19	44
1934-35 total property tax rates the same as 1929-30 total property tax rates.....	2	10
1934-35 total property tax rates lower than 1929-30 total property tax rates.....	34	75
	<hr/> 55	<hr/> 129

The addition of state assessed property to the city tax base in 1935-36 was reflected in varying degrees in the tax rates of cities. In 37 of the 55 charter cities, 1935-36 total tax rates were lower than those of 1934-35; in 12 cities the total rates were the same in the two years; and in six cities total tax rates increased notwithstanding the addition of state assessed property to city assessment rolls. In 72 of the 129 general law cities studied, 1935-36 total tax rates were lower than those of 1934-35; in 35 cities total rates were the same in the two years; and in 22 cities total rates increased. Further reductions in total tax rates occurred in a number of cities in the latter half of the thirties. An important factor contributing to this result was the reduction in bond service requirements as outstanding bond issues were retired.

Developments since 1940 have resulted generally in an upward movement in tax rates for general purposes. Many cities experienced substantial population growth during the war years and as a consequence the cost of providing general municipal services would have increased even if no other forces had been at work. But, in addition, wage and price increases have exerted a further upward pressure on municipal costs. Competition from private industry and from the Federal and State

Governments has required upward readjustments of municipal salary scales and provision for employee retirement systems in order to hold personnel. The higher cost of municipal government resulting from these factors has been reflected in rising tax rates for general purposes, since typically costs have tended to increase more rapidly than the tax base has expanded. In some cities increases in general purpose tax rates have been offset by falling rates for bond interest and redemption as bond issues have been largely or completely retired. In other cities, however, bond issues recently approved by the electorate have added to tax rates for bond service and total tax rates accordingly have increased.

The changes in *total* city tax rates which occurred between 1940-41 and 1946-47 are summarized below:

	<i>Number of charter cities</i>	<i>Number of general law cities</i>
1946-47 total property tax rates higher than 1940-41 total property tax rates-----	42	84
1946-47 total property tax rates the same as 1940-41 total property tax rates-----	4	10
1946-47 total property tax rates lower than 1940-41 total property tax rates-----	9	35
	<hr/> 55	<hr/> 129

Notwithstanding substantial additions to city assessment rolls in 1946-47, total tax rates for this year are materially higher in many cities. Important contributory factors are, (1) rising pay rolls because of salary revisions and return of personnel from the armed services; (2) provision for employee retirement; (3) purchase of materials and equipment not available during the war years; and (4) higher bond service requirements because of bond issues recently approved by the electorate.

In 16 of the 55 charter cities and 24 of the 129 general law cities, studied total tax rates went down in 1946-47. These reductions resulted in the main from lower rates for bond service and were generally small in amount. In 12 charter cities and 54 general law cities total tax rates remained the same. Increases in *total* tax rates for 1946-47 in the remaining cities are summarized in Table 20.

TABLE 20

Increases in Total Tax Rates, 1946-47

<i>Absolute amount of increase</i>	<i>Number of charter cities</i>	<i>Number of general law cities</i>
\$0 50 and above-----	1	3
0 45-\$0 49-----	3	3
0 40- 0 44-----	1	—
0 35- 0 39-----	—	1
0 30- 0 34-----	1	2
0 25- 0 29-----	4	8
0 20- 0 24-----	4	7
0 15- 0 19-----	1	6
0 10- 0 14-----	3	4
0 05- 0 09-----	2	11
Less than 0 05-----	7	6
	<hr/> 27	<hr/> 51

There is considerable variation among cities in the total tax rates applying to each \$100 of assessed valuation. This is indicated below for two recent years:

<i>Charter cities</i>			<i>General law cities</i>		
	<i>Range</i>	<i>Median</i>		<i>Range</i>	<i>Median</i>
1940-41	\$0.75 (Grass Valley, Roseville) to \$2.091 (Vallejo)	\$1 44		\$0.30 (West Covina) to \$2.70 (Oceanside)	\$1 30
1946-47	\$0.75 (Roseville) to \$2.71 (Oakland)	1 85		\$0.35 (West Covina) to \$3.10 (Perris)	1 33

The rising costs of providing services financed from general fund revenues has created serious problems in those cities operating under tax rate limitations for general purposes prescribed by charter or general law. When the tax rate limit has been reached, any increase in ad valorem tax revenue for general fund purposes is dependent wholly upon rising assessed valuations. In 1940-41 a number of cities were at, or within, a few cents of their tax rate limits for general purposes. Pressure for general fund revenues since 1940-41 has brought many more cities to, or within a few cents of, the legal limit. In many of these cities, assessed valuation has not increased sufficiently to provide the additional revenue needed to balance budgets and various supplementary revenue sources, discussed elsewhere in this report, have been adopted to augment the flow of revenue for general purposes.

The following summary indicates the number of cities at, or within a few cents of, their tax rate limits for general purposes. Out of 55 charter cities studied,

<i>Year</i>	<i>Charter cities</i>		<i>General law cities</i>	
	<i>Number of cities at legal rate</i>	<i>Number of cities within 10¢ or less of legal rate limit</i>	<i>Number of cities at legal rate</i>	<i>Number of cities within 10¢ or less of legal rate limit</i>
1940-41	13	13	55	20
1946-47	28	11	90	18

26 cities in 1940-41 and 39 cities in 1946-47 were at, or close to their tax rate limits for general purposes. Out of 129 general law cities studied, 75 in 1940-41 and 108 in 1946-47 were at or close to their tax rate limits. (Chapter IV, Section 2)

City Sales Taxes

The adoption of city sales taxes came about largely in 1946 and accordingly the receipts from this source do not appear in Table 14 above.

The Cities of San Bernardino and Santa Barbara pioneered the field of municipal sales taxation in California. The San Bernardino tax, originally enacted at the rate of 1 percent of the gross receipts from the sale of tangible personal property at retail, yielded \$491,353 during the calendar year 1945. This was almost nine dollars per capita. The present rate in San Bernardino is one-half of 1 percent. The Santa Barbara tax, with a rate of 1 percent, yielded about \$340,000, or almost nine dollars per capita, in 1945-46.

The pressure on city general funds arising from higher costs and property tax receipts limited by tax rate ceilings led many cities to adopt sales taxes in 1946. Such taxes have been adopted in 44 cities throughout the State (December 1946). The following list indicates the cities using

sales taxes, the rate of tax and, where available, the estimated annual yield for the first year in these cities :

<i>Rate of tax</i>	<i>Estimated annual yield</i>
Cities with rate of 1 per cent—	
Beaumont	-----
Brawley	\$70,000
Calipatria	-----
Colton	42,781
El Centro	-----
Oxnard	120,000
Redlands	95,785
Santa Barbara	400,000
Santa Paula	40,000
Santa Rosa	135,000-\$150,000
Cities with rate of one-half of 1 percent—	
Albany	-----
Bakersfield	150,000
Berkeley	300,000
Calexico	-----
Chula Vista	-----
El Cerrito	35,000
Glendale	350,000
Hanford	35,000- 40,000
Hawthorne	20,000
Hermosa Beach	-----
Huntington Park	225,000
La Habra	7,000
Los Angeles	6,500,000
Lynwood	-----
National City	-----
Martinez	40,000
Oakland	1,600,000
Ontario	80,000
Orange	30,000
Pittsburg	55,000
Redondo Beach	36,000
Rialto	7,500
Richmond	115,000
San Bernardino	243,000
San Diego	1,200,000
San Fernando	-----
San Jose	-----
San Leandro	-----
Santa Ana	150,000- 175,000
Santa Monica	300,000
Torrance	-----
Tulare	40,000
Upland	20,000
Visalia	-----

Municipal sales taxes follow the State Retail Sales Tax Act in exempting food products for human consumption. In the majority of these cities sales tax proceeds are available for General Fund purposes. In several cities, however, the proceeds are earmarked in whole or in part for capital outlays. Several cities, viz., Berkeley, Los Angeles, Oakland, Redlands, Richmond, San Leandro, and San Diego, have adopted use taxes to complement the city sales tax. (Chapter IV, Section 3.)

Other Locally Collected Receipts

This category includes the receipts from business and other licenses, permits, fines and penalties, privileges, rent and sale of property, interest

on public money and fees and charges for services by municipal departments. Receipts from these sources were \$21,747,710 in 1929-30. They declined in subsequent years to a low point of \$14,036,735 in 1934-35, which was 35 percent below 1929-30. Nontax receipts increased each year thereafter during the remainder of the thirties, reaching \$23,449,817 in 1940-41.

In many cities during the war years property taxes and receipts from other existing local sources were insufficient to meet rising expenditures. The need for additional funds was met by resort to business licenses based on gross receipts or on number of employees or on the number of admissions to places of amusement (amusement taxes), parking meters, and transfers for general city purposes of a portion of the earnings of municipally-owned utilities.

Nontax receipts rose from \$23,449,817 in 1940-41 to \$34,157,299 in 1944-45, an increase of 46 percent. Receipts from nontax sources in 1940-41 and 1944-45 are shown below:

TABLE 21
Receipts From Nontax Sources

Source	1940-41		1944-45	
	Nontax receipts	Percentage of total receipts	Nontax receipts	Percentage of Total receipts
Business and other				
licenses and permits	\$6,191,723	26.4	\$7,837,984	22.9
Fines and penalties	3,630,208	15.4	7,462,750	21.8
Privileges	2,535,625	10.8	4,689,803	13.7
Rent of property	724,801	3.0	1,074,768	3.1
Sale of property	873,749	3.7	1,424,075	4.1
Interest	572,090	2.4	1,024,442	2.9
Fees and charges for				
service by departments	7,907,701	33.7	8,862,764	25.9
Miscellaneous	1,013,920	4.3	1,780,713	5.2
Total	\$23,449,817	100.0	\$34,157,299	100.0

In the last several years a number of cities have adopted ordinances imposing business licenses on places of amusement based on the number of admissions (amusement taxes). Among these cities are the following:

City	Amount per ticket	Yield
Bell	\$0 02	\$9,728 (1945-46)
Chico	03	11,427 (1945-46 8 months only)
Colton	03	10,683 (1945-46 11 months only)
Compton	02	9,509 (1945-46 5 months only)
Modesto	03	55,000 (Estimated 1946-47)
Redondo Beach	01	8,667 (1945-46)
San Bernardino	03	92,958 (1945-46)
San Diego	01	214,131 (1945-46)
Stockton	02	96,312 (1946 calendar year)

Parking meters have been installed both to raise funds to help defray the cost of traffic regulation and to speed up the turnover of parking space in congested areas. Parking meters are now in operation in about 65 cities and contracts for installation have been awarded in more than a dozen additional cities. (Chapter IV, Section 3.)

Subventions and Grants

It will be noted in Table 14 above, that state subventions and grants represent a much smaller proportion of the total receipts of city governments than the totals of all subventions and grants constitute of the total receipts of county governments. It should be recognized, however, that when the matter is put in these terms it ignores certain subventions and grants to cities other than state subventions and grants. For example, it ignores county contributions from gasoline taxes for street purposes in cities (primarily in Los Angeles County), and grants from the Federal Government during the war period for a variety of purposes and confined to a relatively small number of major centers of war production. At no time, however, are these grants really significant in the total of receipts and, moreover, the great bulk of the grants was concentrated in a relatively few cities. It would, therefore, distort the figures and make them less usable for comparative purposes if subventions from government units other than the State were included in the totals.

State subventions and grants to cities did not become really important items of receipts until after the year 1933-34. They now include shared taxes and liquor license revenues apportioned to cities as a result of legislation beginning in 1933. The relatively small amounts which appear in the earlier years represent payments by the State to the cities to reimburse them for bond interest and redemption charges and arose out of the system of separation of sources adopted by constitutional amendment in 1910. The details of the movements in the total of subventions and grants can be observed in Table 14. (Chapter IV, Section 4.)

Summary of Expenditures

Municipal expenditures from 1934-35 through 1944-45 are shown in Table 22. For years prior to 1934-35 available expenditure data include capital outlays from the proceeds of bond sales and hence are not directly comparable with data for 1934-35 and subsequent years. Expenditures for public service enterprises, expenditures from proceeds of bond sales and from trust funds, and special assessment expenditures, are excluded from the totals in this table.

TABLE 22
Expenditures of Municipalities¹

Year	Total expenditures ²
1934-35.....	\$90,621,497
1935-36.....	94,772,641
1936-37.....	102,789,694
1937-38.....	116,456,673
1938-39.....	117,281,915
1939-40.....	119,948,065
1940-41.....	123,652,508
1941-42.....	127,096,494
1942-43.....	122,758,759
1943-44.....	128,111,261
1944-45.....	139,174,223

¹ Excluding City and County of San Francisco.

² Excluding expenditures for public service enterprises, expenditures from proceeds of bond sales and from trust funds, and special assessment expenditures. Adjustments have been made in certain years for transactions which distort the totals for certain cities. Figures do not agree in all years, therefore, with those published by the State Controller.

Source: State Controller, Annual Reports of Financial Transactions of Municipalities and Counties; Reports of City Auditors and Controllers.

The total expenditures included in Table 22 were \$90,621,497 in 1934-35. They increased each year following 1934-35, reaching \$123,652,508 in the last prewar year (1940-41). This was 36 percent above 1934-35. Further increases occurred in each of the war years, with the exception of 1942-43. The figure of \$139,174,223 for 1944-45 is \$15,521,715, or 13 percent, above that for 1940-41. The figure for 1944-45, even though it is considerably larger than expenditures in prior years, does not reflect the full impact of the rising costs of goods and services on municipal expenditures nor does it include any significant outlays for deferred maintenance. The full effects of these factors will become more and more apparent in the expenditure totals for subsequent years.

As to the distribution of total expenditures among the various functions of city government, protection to persons and property is the most important function in terms of amount expended, accounting for about one-third of total expenditures in 1944-45. Street expenditures are next in importance, accounting for approximately 15 percent of the total, followed by general government which constitutes slightly less than 10 percent of the total in this same year. (Chapter IV, Section 5.)

CHAPTER 5

The City and County of San Francisco

The City and County of San Francisco represents a distinct type of governmental unit among the local governments of California. Because of the different organizational pattern of this unit, it is discussed separately from the counties and cities considered heretofore.

Total Receipts

Total receipts for the City and County of San Francisco from 1929-30 to 1945-46 (not including public service enterprises), are shown in Table 23. In 1930-31 total receipts amounted to \$39,809,714, but the decline of the early thirties, principally in receipts from the property tax, brought the total down to \$37,178,397 in 1933-34, or about 7 percent below the 1930-31 level. By 1940-41, the last prewar year, total receipts had risen to \$52,707,383 and further increases during and since the war period brought the total to \$64,870,873 in 1945-46, which was 63 percent above the total receipts for 1930-31.

The breakdown of total receipts by sources is shown for selected years in the following tabulation:

TABLE 23

Receipts of the City and County of San Francisco ¹

Year	Property taxes	Other locally collected receipts	Subventions and grants	Miscellaneous ²	Total
1929-30-----	\$32,348,316	\$3,169,371	\$3,529,493	-----	\$39,047,180
1930-31-----	33,176,706	2,942,135	3,690,873	-----	39,809,714
1931-32-----	32,846,414	2,930,142	3,699,868	\$273,000	39,749,424
1932-33-----	31,640,905	2,855,890	3,769,860	808,000	39,074,655
1933-34-----	26,504,777	2,985,552	6,620,175	1,067,893	37,178,397
1934-35-----	28,929,948	2,832,403	6,819,195	1,782,013	40,363,559
1935-36-----	30,707,928	2,457,696	8,035,743	1,890,468	43,091,835
1936-37-----	30,984,978	2,688,622	9,844,487	1,898,886	45,416,973
1937-38-----	32,076,926	2,688,736	10,784,618	2,369,316	47,919,596
1938-39-----	33,351,698	2,777,215	11,377,573	1,409,608	48,916,094
1939-40-----	32,596,945	3,414,936	12,292,525	996,128	49,300,534
1940-41-----	35,054,385	3,611,739	13,277,929	763,330	52,707,383
1941-42-----	36,449,753	3,726,134	13,458,755	1,066,862	54,701,504
1942-43-----	37,459,591	3,464,667	12,733,206	913,094	54,570,558
1943-44-----	36,736,198	4,081,093	14,284,690	1,978,190	57,080,171
1944-45-----	39,425,735	4,598,399	14,483,886	1,560,491	60,068,511
1945-46-----	41,180,093	5,703,815	15,885,324	2,092,641	64,870,873

¹ Receipts do not include public service enterprises.

² Includes contributions from water department and transfers from capital funds.

Source: Annual Reports of the Controller of the City and County of San Francisco.

The proportions which each of these types of receipts comprise of the total receipts of San Francisco are indicated by the table below:

TABLE 24

Total Receipts of San Francisco City and County by Sources

Source	Percentage of total receipts			
	1929-30	1935-36	1940-41	1945-46
Property taxes-----	82.8	71.3	66.5	63.4
Other locally collected receipts-----	8.1	5.7	6.9	8.8
Subventions and grants-----	9.1	18.6	25.2	24.5
Miscellaneous-----	--	4.4	1.4	3.3
Total-----	100.0	100.0	100.0	100.0

It is apparent from these data that property taxes have steadily declined as a percentage of total receipts in San Francisco even though the absolute amount of property tax collections were at their peak in 1945-46. Against this declining proportion of property tax receipts to the total, subventions and grants have steadily risen as a percentage of the total receipts of San Francisco City and County. (Chapter V, Section 1)

General Property Taxes

Receipts from property taxes declined by 20 per cent from a total of \$33,176,706 in 1930-31 to \$26,504,777 in 1933-34. Moderate increases in the remainder of the thirties brought the total to \$35,054,385 in 1940-41. During the years since 1940-41 assessed valuations in San Francisco increased moderately while tax rates rose substantially, with the

result that property tax receipts were \$41,189,093 in 1945-46 or about 18 percent above 1940-41. These were the highest receipts from property taxes reported during the period under consideration, viz., from 1929-30 to 1945-46. (Chapter V, Section 2)

A. Assessed Valuations

The net assessed valuation of property subject to taxation in the City and County of San Francisco from 1929-30 through 1946-47 is shown in Table 25.

TABLE 25

Net Assessed Valuation of Property Subject to Taxation in the City and County of San Francisco¹

Year	Net assessed valuation of locally assessed property	Net assessed valuation of state assessed property	Total net assessed valuation
1929-30	\$807,459,060	-----	\$807,459,060
1930-31	801,770,075	-----	801,770,075
1931-32	793,288,405	-----	793,288,405
1932-33	790,293,611	-----	790,293,611
1933-34	746,947,242	-----	746,947,242
1934-35	739,453,333	-----	739,453,333
1935-36	728,425,116	\$87,251,120	815,676,236
1936-37	728,147,780	87,940,570	816,088,350
1937-38	733,529,138	90,016,080	823,545,218
1938-39	735,757,264	88,231,220	823,988,484
1939-40	733,779,918	87,596,640	821,376,558
1940-41	731,148,832	89,437,970	820,586,802
1941-42	737,076,660	89,393,660	826,470,320
1942-43	743,153,287	88,260,110	831,413,397
1943-44	744,227,764	88,769,370	832,997,134
1944-45	755,087,318	88,354,100	843,441,418
1945-46	763,018,796	83,604,080	846,622,876
1946-47	775,622,071	85,084,080	860,706,151

¹ Solvent credits and stocks and bonds excluded.

Source: Annual Reports of the Controller of the City and County of San Francisco.

Locally assessed property declined by \$79,311,280 from \$807,459,060 in 1929-30, to \$728,147,780 in 1936-37, or by approximately 10 percent. The addition of state assessed property to the tax base in 1935-36, however, brought the total net assessed valuation above the 1929-30 level. Locally assessed property increased slightly in 1937-38 and 1938-39 and then declined again in 1939-40 and 1940-41. The 1940-41 valuation of locally assessed property—\$731,148,832—was less than 1 percent above the 1936-37 low-point and was 9 percent below the pre-depression peak of 1929-30. Even with the inclusion of state assessed property, the 1940-41 tax base was only \$13,127,742 above that in 1929-30.

Locally assessed property increased each year following 1940-41. The 1946-47 valuation of such property—\$775,622,071 was 6 percent above 1940-41, but was still \$31,836,989, or 4 percent below the corresponding 1929-30 valuation. Total net assessed valuation in 1946-47, including both locally assessed and state assessed property, was \$53,247,091 above total net assessed valuation in 1929-30.

The property tax base in the City and County of San Francisco has been adversely affected by a decline in land valuations which, like similar declines in other large cities of the State during the last decade and a

half, occurred particularly in the older central core of the city. At the same time, however, new construction has not added to the tax base as substantially as it has in a number of other cities where more space for expansion is available. As a result, the tax base in the City and County of San Francisco has increased in recent years relatively less than that in most of the larger cities in the State. This is indicated in the following comparison of increases in total net assessed valuation between 1940-41 and 1946-47 in the City and County of San Francisco and in the 10 largest cities in the State.

TABLE 26

Percentage Increase in Total Net Assessed Valuations for Selected Cities

<i>City</i>	<i>Percentage increase, 1940-41 to 1946-47</i>	<i>City</i>	<i>Percentage increase, 1940-41 to 1946-47</i>
San Francisco -----	5	Berkeley -----	12
Los Angeles -----	30	Glendale -----	35
Oakland -----	19	Pasadena -----	32
San Diego -----	52	San Jose -----	27
Long Beach -----	15	Fresno -----	36
Sacramento -----	17		

(Chapter V, Section 2)

B. Tax Rates

Total tax rates in the City and County of San Francisco from 1929-30 to 1946-47 are listed below:

TABLE 27

Tax Rates in the City and County of San Francisco

<i>Year</i>	<i>Total tax rate</i>	<i>Year</i>	<i>Total tax rate</i>
1929-30 -----	\$3.94	1938-39 -----	\$4.04
1930-31 -----	4.04	1939-40 -----	3.937
1931-32 -----	4.04	1940-41 -----	4.295
1932-33 -----	3.96	1941-42 -----	4.396
1933-34 -----	3.48	1942-43 -----	4.48
1934-35 -----	3.863622	1943-44 -----	4.36
1935-36 -----	3.681917	1944-45 -----	4.69
1936-37 -----	3.784	1945-46 -----	4.83
1937-38 -----	3.871	1946-47 -----	5.55

Source: Annual Reports of the Controller of the City and County of San Francisco.

The 1946-47 tax rate for general fund purposes, subject to the charter tax rate limitation of \$1.65, is \$1.606739 compared with \$1.324581 in 1945-46.

Total tax rates in san Francisco reached a high point of \$4.04 per \$100 of assessed valuations in the early thirties and declined thereafter to their lowest amount of \$3.48 in 1933-34. After a series of moderate increases and decreases between 1934-35 to 1940-41, the tax rates of this governmental unit began a sustained climb which carried them, with only one exception in 1943-44, to unprecedented levels. By 1946-47 the total tax rate of the City and County of San Francisco had reached the peak of \$5.55 per \$100 of assessed valuations (Chapter V, Section 2).

Other Locally-Collected Receipts

This category of receipts shown in Table 23 includes receipts from such sources as licenses, fines, rents, interest, and various departmental receipts. It is clear from this table that these receipts have never constituted a very significant part of total receipts in the City and County of San Francisco. In 1930-31, they comprised about 8 percent of total receipts. In subsequent years, they brought in almost 6 percent of total receipts in 1935-36, and 7 percent of receipts in 1940-41. The increase of receipts from these sources in 1945-46, raised their proportion of total receipts to 9 percent. Over the years between 1929-30 and 1945-46 they show a high degree of stability as a source of receipts (Chapter V, Section 3).

Subventions and Grants

Subventions and grants have risen from approximately \$3,500,000 in 1929-30 to a total of almost \$16,000,000 in 1945-46. This growth is a reflection of the state-local fiscal interrelationships discussed in earlier sections.

A comparison of the principal subventions and grants to the City and County of San Francisco for 1935-36 and 1945-46 is shown below :

TABLE 28
Subventions and Grants to the City and County of San Francisco

<i>Shared taxes</i>	<i>1935-36</i>	<i>1945-46</i>
Motor vehicle fuel tax :		
Special road improvement fund.....	\$895,422	\$1,141,651
Special gas tax street improvement fund.....	611,715	796,826
Motor vehicle registration fees.....	214,837	302,352
Motor vehicle license fees.....	420,441	1,296,907
Alcohol beverage license.....	149,229	774,712
<i>State and federal grants-in-aid</i>		
Aid to needy children.....	128,498	180,176
Aid to needy blind.....	52,469	158,347
Aid to needy aged.....	494,238	5,278,619
Aid for elementary schools.....	2,648,469	2,697,702
Aid for high schools.....	1,925,059	1,948,671

Source : Annual Reports of the Controller of the City and County of San Francisco. (Chapter V, Section 4.)

Summary of Expenditures

Total expenditures (not including public service enterprises) and departmental expenditures included in that total are shown in Table 29. This table lists both the total and departmental expenditures of the City and County of San Francisco over the period from 1929-30 to 1945-46. With the exception of a decrease in 1942-43, departmental expenditures increase steadily after 1933-34 to a maximum of \$48,402,477 in 1945-46. Table 30 compares the departmental and other expenditures comprising the total for the two years, 1935-36 and 1944-45. It also indicates the percentages of total expenditures which each item involves. Departmental expenditures increase from 70.97 percent of total expenditures in 1935-36 to 79.99 percent in 1944-45 primarily because of increased departmental expenditures for hospitals and charities (Chapter V, Section 5).

TABLE 29

Expenditures of the City and County of San Francisco
(Not Including Public Service Enterprise)

Year	Total expenditures	Departmental expenditures
1929-30	\$33,489,314	\$28,081,601
1930-31	35,014,794	28,629,993
1931-32	40,216,099	28,935,668
1932-33	38,220,496	28,333,951
1933-34	35,309,097	25,483,716
1934-35	40,030,114	28,362,052
1935-36	42,168,073	29,929,653
1936-37	44,980,998	32,150,912
1937-38	47,493,396	34,795,146
1938-39	50,206,782	36,740,324
1939-40	48,417,190	38,172,579
1940-41	52,134,695	39,995,498
1941-42	54,393,899	41,650,846
1942-43	51,694,083	40,159,586
1943-44	55,274,644	43,169,626
1944-45	58,355,112	46,677,509
1945-46	62,900,768	48,402,477

Source: Annual Reports of the Controller of the City and County of San Francisco.

TABLE 30

Comparison of Expenditures of the City and County of San Francisco

	1935-36		1944-45	
	Amount	Percentage of total	Amount	Percentage of total
Departmental expenditures:				
General government	\$3,524,429 61	8.36	\$4,604,101 27	7.89
Public safety	7,083,673 04	16.80	8,531,317 55	14.62
Highways	1,176,316 42	2.78	1,649,035 34	2.83
Sanitation and waste removal	829,299 77	1.96	1,283,185 36	2.20
Conservation of health	573,064 84	1.36	1,013,418 90	1.74
Hospitals	1,855,551 80	4.40	3,746,156 85	6.42
Charities	3,382,551 48	8.03	9,178,855 23	15.73
Correction	272,469 85	.64	537,241 18	.92
Schools	8,877,433 03	21.06	12,499,265 80	21.42
Libraries	388,262 87	.92	503,405 04	.85
Recreation	1,966,600 72	4.66	3,131,526 97	5.37
Total departmental	\$29,929,653 43	70.97	\$46,677,509 49	79.99
Bond redemptions	\$3,150,100 00	7.47	\$2,915,000 00	5.00
Bond interest	2,332,871 64	5.53	1,274,056 66	2.18
Other interest	84,190 66	.20	20,583 63	.04
Pensions and compensation				
insurance	1,971,267 63	4.68	3,209,339 74	5.50
Judgments and losses	172,723 13	.41	95,846 47	.16
Contributions to public services enterprises:				
Hetch Hetchy project	1,715,724 95	4.07	1,920,207 82	3.28
Airports	151,572 19	.36	341,688 90	.59
Capital additions from revenues	2,409,969 27	5.72	1,043,588 06	1.79
Civilian defense			302,113 94	.52
Contributions to other civil divisions	250,000 00	.59	85,905 48	.15
Sponsors contributions to PWA projects				
Miscellaneous, net			469,271 83	.80
Total other	\$12,238,419 47	29.03	\$11,677,602 53	20.01
Total expenditures	\$42,168,072 90	100.00	\$58,355,112 02	100.00

Source: Annual Reports of the Controller of the City and County of San Francisco.

CHAPTER 6

Exemptions From County and City Property Taxation

The State Constitution of 1879 provided the basic pattern of exemptions from property taxes. It states that "growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation." However, subsequent constitutional amendments, approved by the electorate, have additionally narrowed the property tax base during subsequent years. These amendments have exempted various additional kinds of property from ad valorem taxation.

This continued expansion in the granting of exemptions to property under various conditions of ownership has more and more undermined the tax base of local government. Between 1945-46 and 1946-47, the aggregate of county gross assessed property valuations of locally assessed property increased by only 9 percent, while the aggregate amount of exempted property in the counties increased by 41 percent. Clearly, these relative rates of increase cannot continue at rates which are anything like the figures just quoted without serious depletion of the property tax base and serious inroads upon property tax revenue for both counties and cities. Yet there are no indications that the growth in the amount of exemptions as a proportion of total gross assessed valuations will level off or decline in the years immediately ahead.

It is impossible to determine with complete accuracy the total amount of property exempt from ad valorem taxation. In very few jurisdictions are any figures available as to exempt public property and in the case of property in private ownership partial data only are available. Because of the limitations of available data, it is necessary, in determining the total amount of exempt property, to estimate various components of this total. The resultant figures, therefore, does not represent a complete and actual inventory of tax-exempt property, but it is nevertheless indicative of the nature and extent of the problem.

In 1932 the California Tax Research Bureau published an estimate of the total assessed value of tax-exempt property classified by ownership. To the extent that available data permit, a similar estimate has been made for 1946-47. Both of these estimates are shown in Table 31. All of this property is exempt from county ad valorem taxation and such of it as is located within incorporated cities is also exempt from ad valorem taxation for municipal purposes.⁶

In 1932-33 the assessed value of tax-exempt property was estimated at \$1,326,055,000, of which 77 percent was in public ownership and 23 percent in private ownership. In 1946-47 the assessed value of tax-exempt property is estimated at \$1,911,833,206, an increase of 44 percent over 1932-33. Between 1932-33 and 1946-47 exempt property in private ownership increased by 62 percent and exempt public property increased by 39 percent. Property in public ownership accounts for 74 percent of total exempt property in 1946-47 and property in private ownership accounts for 26 percent.

⁶ The same is the case with respect to various other units of local government.

Property in Public Ownership Exempt from Property Taxation

The estimated total of public property exempt from ad valorem taxation in 1946-47 is \$1,405,977,252.⁶ City property accounts for 45 percent of this total; federal property for 23 percent; school property for 16 percent; state property for 11 percent; and county property for 5 percent. It should be noted that federal holdings are the second largest among these categories of publicly-owned exempt properties. A detailed consideration of the extent and distribution of federal land holdings in the counties, and estimates of the loss of ad valorem tax revenue as a result of their exemption are presented in the Fact-Finding Report of the committee in an appendix to the section dealing with the exemption problem.

TABLE 31

Estimated Assessed Value of Tax Exempt Property, 1932-33 and 1946-47

	1932-33 ¹	1946-47 ²
Private ownership-----	\$311,408,000	\$505,856,005
Public ownership:		
Federal government----	\$184,014,000	\$319,472,986 ³
State government ----	110,340,000	150,000,000 ⁴
Counties -----	60,170,000	72,482,708 ⁵
Cities -----	436,966,000	633,374,927 ⁵
Schools -----	223,157,000	230,646,580 ⁵
	<u>1,014,647,000</u>	<u>1,405,977,201</u>
Total -----	\$1,326,055,000	\$1,911,833,206

Sources: ¹ All figures for 1932-33 are from the Report of the California Tax Research Bureau, January 23, 1933, p. 122.

² See Table 32.

³ California State Board of Equalization, Federal Real Estate Ownership in California. (As of September 1, 1943.) This figure includes only real estate.

⁴ Estimated from fragmentary data.

⁵ State Controller, Annual Report of Financial Transactions of Municipalities and Counties, 1945. Property owned by the City and County of San Francisco, exclusive of school property, is included under cities. School property in the City and County of San Francisco is included under schools. Value of property owned by governmental units as reported to the State Controller has been reduced by 50 percent to conform roughly to the level of assessed valuation of property in private ownership.

Property in Private Ownership Exempt From Property Taxation

Table 32 shows the estimated amount of property in private ownership exempt from ad valorem taxation in 1946-47. The largest single item in the total of \$505,856,005 is the property of veterans or their qualified relatives, which accounts for 38 percent of the total. The State's remainder interest in property sold by the Veterans Welfare Board accounts for 2 percent of the total. The householder's exemption accounts for 30 percent of the total; growing crops for 11 percent; church property for 8 percent; college property for 5 percent; welfare property for 4 percent; and cemetery property for 2 percent.

Property of Veterans Exempt from Property Taxation

The amount of property of veterans exempt from property taxation and the number of claimants involved, as reported to the State Board of Equalization, is shown in Table 33. In 1915 there were 15,647 claimants and the total property exempted amounted to \$10,942,175. By 1930-31 the

⁶ The figure for federal ownership includes only real estate.

number of claimants had risen to 176,218 and the total property exempted to \$108,677,494. In the early thirties the number of claimants increased substantially; but the amount of property exempted, even with the larger number of claimants, did not rise materially. In 1940-41 there were 152,436 claimants compared with 176,218 in 1930-31 and the amount of property exempted was \$103,597,571 compared with \$108,677,494 in 1930-31. Since 1940-41 both the number of claimants and the amount of property exempted have increased, with the largest increases coming in the last two years. Between 1944-45 and 1945-46 the number of claimants rose from 175,006 to 210,198 and the amount of property exempted increased from \$137,393,891 to \$161,713,527, or by 18 percent. In 1946-47 a further increase of 67,147 in number of claimants is shown and the amount of property exempted rose by \$31,072,567, or by 19 percent.

There is considerable variation among counties in the impact of the recent increases in veterans' exemptions. In six counties 1946-47 veterans' exemptions were lower than those of 1945-46: Alpine, —4 percent; Inyo,

TABLE 32

Property in Private Ownership Exempt From Property Taxation, 1946-47

Exemption	Amount	Exemption	Amount
*Veterans -----	\$192,786,094 ¹	Colleges -----	26,669,395 ²
Veterans Welfare Board		Welfare -----	22,826,614 ²
Property ¹ -----	11,000,000 ³	Cemeteries -----	10,000,000 ²
Householders -----	150,000,000 ³		
Growing Crops -----	54,000,000 ³	Total -----	*\$505,856,005
Churches -----	38,573,902 ⁴		

Sources: ¹ State's remainder interest.

² California State Board of Equalization, Exemptions From Property Taxation, 1946. Data for Solano County not included.

³ Estimate of John H. Keith, Chief, Division of Assessment Standards, State Board of Equalization.

⁴ California State Board of Equalization, Exemptions From Property Taxation, 1946. Data for San Francisco not included.

⁵ Ibid.

⁶ Ibid. Includes 13 orphanage exemptions aggregating \$699,630. Data for Placer County not included.

TABLE 33

Property of Veterans Exempt From County Property Taxation

Year	Number of claimants	Amount of property exempted	Average exemption
1915-16 -----	15,647	\$10,942,175	\$699
1920-21 -----	30,611	18,361,786	600
1925-26 -----	120,938	69,127,986	572
1930-31 -----	176,218	108,677,394	617
1931-32 -----	181,857	108,878,169	599
1932-33 -----	192,161	107,985,049	552
1933-34 -----	188,996	109,783,221	581
1934-35 -----	198,431	107,930,278	544
1935-36 -----	192,006	110,770,080	577
1936-37 -----	161,538	85,583,644	530
1937-38 -----	159,961	101,221,064	633
1938-39 -----	163,332	106,187,125	650
1939-40 -----	167,246	112,488,032	673
1940-41 -----	152,436	103,597,571	680
1941-42 -----	170,605	120,890,640	709
1942-43 -----	166,863	126,158,116	756
1943-44 -----	167,701	121,247,761	723
1944-45 -----	175,006	137,393,891	785
1945-46 -----	210,198	161,713,527	769
1946-47 -----	277,345 ¹	192,786,094 ¹	695

¹ Solano County data excluded.

Source: Biennial Reports of California State Board of Equalization; California State Board of Equalization, Exemptions From Property Taxation, 1946.

—2 percent; Placer —19 percent; San Mateo —23 percent; and Trinity —10 percent. In the remaining 51 counties' 1946 veterans' exemptions were above those of 1945-46. The following tabulation summarizes this data:

TABLE 34

Percentage Increases in Veterans' Exemptions, 1945-46 TO 1946-47

Percentage increases	Number of counties	Percentage increases	Number of counties
40 percent and over-----	1	10-19 percent -----	16
30-39 percent -----	13	Less than 10 percent-----	3
20-29 percent -----	18		<u>51</u>

Among those counties, the range in percentage increase in veterans' exemptions is from 5 percent in Marin County to 53 percent in Contra Costa County. In the latter county between 1945-46 and 1946-47 the number of claimants increased from 2,961 to 4,057 and the amount of property exempted rose from \$2,275,900 to \$3,493,025. In addition to Contra Costa County, the following counties showed substantial percentage increases over 1945-46:

TABLE 35

Percentage Increase in Veterans Exemptions, 1945-46 to 1946-47¹

County	Percentage increase	County	Percentage increase
Napa -----	39	Sutter -----	33
Nevada -----	38	Fresno -----	32
Mariposa -----	35	Madera -----	32
Sacramento -----	34	Merced -----	32
Shasta -----	34	Stanislaus -----	32
San Francisco -----	33	Amador -----	31
Humboldt -----	33	Monterey -----	29

¹ Figures for San Francisco have been taken from publications of the State Board of Equalization. These figures differ from those published by the Controller of the City and County of San Francisco.

Counties showing an increase of less than 10 percent were Marin, 5 percent; Lassen, 7 percent; and Mono, 9 percent.

There is also considerable variation among counties in the average veterans' exemption. In 1946 the range was from \$438 in Trinity County to \$941 in San Mateo County. Data showing average exemptions for all counties are summarized below:

TABLE 36

Average Veterans' Exemption, 1946-7

Average exemption	Number of counties	Average exemption	Number of counties
\$900-999 -----	2	\$500-599 -----	3
800-899 -----	14	400-499 -----	2
700-799 -----	22		<u>57</u>
600-699 -----	14		

Among the counties with high average exemptions are San Mateo, \$941; Alameda, \$940; Contra Costa, \$861; San Benito, \$852; Siskiyou, \$850; Marin, \$847; Yolo, \$842; and Napa, \$840. Counties with average exemptions of less than 600 are Trinity, \$438; Lake, \$493; Colusa, \$510; San Luis Obispo, \$576; and Lassen, \$581.

¹ City and County of San Francisco included. Data for Solano County not available.

It is estimated that the State's remainder interest in property of the Veterans Welfare Board amounted to \$11,000,000 in 1946-47 (Table 24). If this exemption of the State's remainder interest continues, the amount involved is likely to increase substantially in light of the approval by the electors in November, 1946, of the Veterans Bond Act of 1946 authorizing a state bond issue of \$100,000,000, the proceeds of which are to be made available for loans to veterans to help them in purchasing homes and farms in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943.

Church Property Exempt from Property Taxation

In 1946 church exemptions numbering 6,211 and amounting to \$38,573,902 were reported to the State Board of Equalization. The largest exemptions were in the following counties:

TABLE 37
Church Exemptions in Selected Counties, 1946-47¹

<i>County</i>	<i>Number of exemptions</i>	<i>Amount of exemption</i>
Los Angeles -----	2,384	\$17,943,290
Alameda -----	350	4,030,070
San Diego -----	307	2,054,860
Santa Clara -----	157	1,811,595
Sacramento -----	124	1,418,612
Fresno -----	267	1,199,640

¹ California State Board of Equalization, Exemptions From Property Taxation, 1946. Data for the City and County of San Francisco are not included.

These six counties account for 74 percent of the total exemption.

College Property Exempt from Property Taxation

The amount of college property exempt from property taxation, as reported to the State Board of Equalization, is shown below for selected years.

TABLE 38
Total College Exemptions, 1946-47¹

<i>Year</i>	<i>Amount of exemption</i>	<i>Year</i>	<i>Amount of exemption</i>
1925-26 -----	\$6,937,690	1945-46 -----	\$25,703,805
1930-31 -----	23,303,082	1946-47 -----	26,669,395
1940-41 -----	24,826,730		

¹ Biennial Reports of California State Board of Equalization; California State Board of Equalization, Exemptions From Property Taxation, 1946.

The amount of college property exempt from ad valorem taxation has not increased materially in recent years. College exemptions, number 79 in 1946-47, were heavily concentrated in the following counties:

TABLE 39
College Exemptions in Selected Counties, 1946-47¹

<i>County</i>	<i>Number of exemptions</i>	<i>Amount of exemption</i>
Los Angeles -----	25	\$10,322,345
Santa Clara -----	4	8,251,350
Alameda -----	11	1,007,445
Butte -----	2	852,790
City and County of San Francisco -----	9	944,205
Contra Costa -----	1	834,575

¹ California State Board of Equalization, Exemptions From Property Taxation, 1946. Data for Placer County not included. Figure given above includes 13 orphanage exemptions aggregating \$699,630.

These six counties account for 87 percent of the total exemption. The remainder was scattered among 14 counties. No college exemptions were reported in 38 counties.

Welfare Exemption

The welfare exemption, first reported to the State Board of Equalization in 1946, totals \$22,826,614, with 588 claimants. The largest exemptions are in the following counties:

TABLE 40

Welfare Exemptions in Selected Counties, 1946-47¹

<i>County</i>	<i>Number of exemptions</i>	<i>Amount of exemption</i>
Los Angeles -----	259	\$9,159,430
City and County of San Francisco -----	55	6,454,564
San Diego -----	46	1,347,560
Alameda -----	39	1,302,980
Santa Barbara -----	13	1,281,910

¹ Figure for San Francisco has been taken from publications of the State Board of Equalization. This figure differs from that of the Controller of the City and County of San Francisco.

These five counties account for 86 percent of the total exemption. No welfare exemptions were reported in 27 counties and no report was received from Placer County at the time figures were published by the State Board of Equalization.

Tax Exempt Property as Shown on County Assessment Rolls

County assessment rolls show only a portion of the property exempt from county ad valorem taxation. Exempt property in public ownership typically is not shown on county assessment rolls and a large amount of exempt property in private ownership likewise is not shown on the rolls. As indicated above, the assessed value of these properties must be estimated to determine the total of exempt property. Examination of county assessment rolls indicates that there is some variation among counties in the types of exemptions shown on assessment rolls, with the result that inter-county comparisons must be made with qualification because reported exemptions in one county may contain types of exempt property not shown on the roll in another county. In the case of any given county, however, the same constituent items generally appear to be included in reported exemptions from year to year. Accordingly, comparisons of exempt property in a given county over a period of years are not subject to the same extent to the limitations encountered in inter-county comparisons.

It should be noted that the figures in this section are the assessed values of property entered on county assessment rolls and exempted upon proof of qualification for exemption. Accordingly, they greatly underestimate the extent of the exemption problem; but notwithstanding their limited coverage and varying composition, it is believed they are indicative of certain significant developments. They are presented, however, subject to the limitations previously noted.

Tax-exempt property as shown on county assessment rolls from 1936-37 to 1946-47 is presented in Table 42. In 1936-37 this property, as

shown on county assessment rolls, amounted to \$151,343,829 or 2.9 percent of the gross valuation of county assessed property. By 1945-46 tax-exempt properties constituted 3.2 percent of the gross valuation of county assessed property and amounted to \$224,126,453. Between 1945-46 and 1946-47 tax-exempt property increased by \$91,401,198, or by 41 percent. This increase raised the total of tax-exempt properties to a point where it amounted to 4.2 percent of the gross assessed valuations of the counties. The bulk of the increase may be explained in terms of a continued rise in veterans' exemptions and the welfare exemptions first granted in 1946-47.

There was considerable variation among the counties in the impact of exemption increases in 1946-47. Two counties—Alpine and San Benito—reported smaller exemptions in 1946-47 than in 1945-46. Data for the remaining 55 counties are summarized below:

TABLE 41

Percentage Increase in Tax Exempt Property as Shown on County Assessment Rolls, 1945-46 to 1946-47

Percentage increases	Number of counties	Percentage increases	Number of counties
60 percent and over-----	1	10-19 percent -----	23
50-59 percent -----	—	Less than 10 percent-----	6
40-49 percent -----	3		—
30-39 percent -----	7		55
20-29 percent -----	15		

TABLE 42

Tax Exempt Property as Shown on County Assessment Rolls, 1936-37 to 1946-47¹

Year	Exempt property inside incorporated municipalities	Percentage of gross assessed valuation of county assessed property	Exempt property outside incorporated municipalities	Percentage of gross assessed valuation of county assessed property	Total exempt property as shown on county assessment rolls	Percentage of gross valuation of county assessed property
1936-37	\$114,371,464	3.5	\$36,972,365	1.8	\$151,343,829	2.9
1937-38	125,377,430	3.7	38,983,892	1.9	164,361,322	3.0
1938-39	131,930,198	3.8	41,723,349	2.0	173,653,547	3.1
1939-40	138,066,103	3.9	45,112,841	2.1	183,178,944	3.2
1940-41	154,026,206	4.4	46,478,640	2.1	200,504,855	3.5
1941-42	159,495,747	4.4	51,041,368	2.2	210,537,115	3.6
1942-43	193,316,757	5.0	57,722,855	2.4	251,039,612	4.0
1943-44	175,918,085	4.5	51,779,874	2.1	227,697,959	3.6
1944-45	148,306,633	3.6	50,161,226	1.9	198,467,859	2.9
1945-46	167,238,697	3.9	56,887,756	2.1	224,126,453	3.2
1946-47	240,142,014	5.1	75,385,637	2.6	315,527,651	4.2

¹ City and County of San Francisco excluded. Data are not available for all counties prior to 1936-37.

Source: Recapitulations of County Assessment Rolls; State Board of Equalization, Biennial Reports.

Among the counties with the largest percentage increases were Los Angeles with 64 percent; Mono, 48 percent; Napa, 46 percent; and Marin, 40 percent. Counties with percentage increases of less than 10 percent were Plumas and Solano with increases of less than 9 percent; Lassen, Orange and San Mateo with increases of 7 percent; and San Bernardino with only a 6 percent rise in exemptions.

During the years from 1936-37 through 1946-47 approximately three-fourths of the exempt property shown on county assessment rolls was

located inside incorporated municipalities. Exempt property constitutes a larger percentage of the gross valuation of county assessed property inside incorporated municipalities than outside municipalities. In 1946-47 tax exempt property was 5.1 percent of the gross valuation of county assessed property inside incorporated municipalities. The corresponding percentage outside incorporated municipalities was 2.6.

Tax Exempt Property as Shown on City Assessment Rolls

Available data are not sufficient to permit determination of how much of the estimated \$1,911,833,206 of tax exempt property in 1946-47 was located within incorporated municipalities and was therefore exempt from city ad valorem taxation. City assessment rolls, like those of the counties, typically do not show exempt property in public ownership or various types of exempt property in private ownership. Accordingly, exemptions shown on city assessment rolls greatly underestimate the extent of the exemption problem. Inter-city comparisons, because of variations in the types of exempt property shown on assessment rolls, are subject to the same qualifications as noted previously in the case of inter-county comparisons.

Tax exempt property as shown on city assessment rolls (or on county assessment rolls where the county assesses for the city under contractual agreement) from 1936-37 to 1946-47 is presented in Table 43.

TABLE 43

**Tax Exempt Property as Shown on City (or County) Assessment Rolls,
1936-37 to 1946-47¹**

<i>Year</i>	<i>Tax exempt property as shown on city or county assessment rolls</i>	<i>Percentage of gross valuation of locally assessed property</i>
1936-37-----	\$92,893,216	2.6
1937-38-----	117,610,432	3.2
1938-39-----	125,565,687	3.3
1939-40-----	132,148,703	3.4
1940-41-----	138,861,879	3.6
1941-42-----	140,099,094	3.5
1942-43-----	171,603,949	4.1
1943-44-----	165,779,985	3.9
1944-45-----	145,421,627	3.3
1945-46-----	170,572,464	3.7
1946-47-----	271,293,216	5.3

¹ City and County of San Francisco excluded. City of Oakland excluded in all years except 1946-47. If the City of Oakland is excluded in 1946-47, the total of tax exempt property is \$262,761,841 and the percentage of exempt property to gross valuation of locally assessed property is 5.4.

Source: Recapitulations of County and City Assessment Rolls; State Board of Equalization, Biennial Reports; State Controller, Annual Report of Financial Transactions of Municipalities and Counties.

In 1936-37 tax exempt property as shown on city (or county) assessment rolls amounted to \$92,893,216, or 2.6 percent of the gross valuation of locally assessed property. In 1945-46 tax exempt property amounted to \$170,572,464, or 3.7 percent of the gross valuation of locally assessed property. Between 1945-46 and 1946-47 tax exempt property as shown on city (or county) assessment rolls increased by \$100,720,752, or 59

percent.⁸ The bulk of this increase is accounted for by rising veterans' exemptions and the welfare exemption.

The impact of exemption increases in 1946-47 has not been uniform among cities because of the concentration of exempt property in certain localities. This concentration is particularly serious with respect to veterans' exemptions. Certain localities with advantages of climate or in which veterans' hospitals or other facilities are situated have experienced a disproportionately large reduction in their tax base in comparison with other localities where similar factors are not present to the same extent.

Generally, however, veterans' exemptions are typically the most important single item in the total of exempt property as shown on city and county assessment rolls. A study has been made of 1946-47 exemptions in 140 cities with independent assessors whose total exemption of property in private ownership as shown on the assessment rolls, is \$57,528,966. This total was distributed by types of exemption as indicated below:

TABLE 44
Exemptions in 140 Selected Cities, 1946-47

<i>Type of exemption</i>	<i>Amount of exemption</i>	<i>Percentage of total</i>
Veterans -----	\$28,869,475	50
Veterans Welfare Board Property -----	1,743,253	3
Church -----	12,795,522	24
College -----	7,468,420	13
Welfare -----	3,787,156	7
Householders -----	1,865,140	3
	\$57,528,966	100

Veterans' exemptions constitute 50 percent of the total burden of exemptions in these counties and are more than twice as large as the second largest amount—that given to church property. (Chapter VII, Section 1)

CHAPTER 7

Recommendations of the Committee

On the basis of an analysis of the facts collected in the Fact-Finding Report, a summary of which has been included herein, and on the basis of information gathered at its public hearings, the committee makes the following recommendations regarding certain aspects and phases of the fiscal structures of these various governmental units in California.

I. *Liquor License Fees*

That liquor license fees be increased and that from the proceeds of all such fees, including the full amount of this increase, there shall be deducted, (1) the costs of collection up to a maximum of three (3) percent of the proceeds, and (2) the costs of administration and present enforcement by the State; and that the remainder of the proceeds be apportioned to the cities and counties on the present basis of distribution.

⁸ See Table 43, footnote 1. If the City of Oakland is excluded in 1946, the increase is \$92,189,377, or 54 percent.

II. *Motor Vehicle In Lieu Tax*

1. That the administration of the motor vehicle in lieu tax remain with the Department of Motor Vehicles until such time as there may be established a single and central state agency responsible for the administration of all state taxes.

2. That the rate of the motor vehicle in lieu tax be established annually to equal to the nearest cent, one-half ($\frac{1}{2}$) the average state-wide rate applicable to tangible property as determined from the actual annual tax rates set by local legislative bodies.

3. That from the proceeds of the motor vehicle in lieu tax there shall first be deducted the costs of collection not to exceed three (3) percent of such proceeds and that the remainder shall be returned to the counties and cities on a per capita basis.

III. *Exemption of Property from Ad Valorem Taxation*

1. The committee endorses the granting of tax exemption in accordance with the present constitutional and statutory provisions as a recognition of the obligation of the people of the State to veterans. But, because of the unequal distribution among the counties and cities of veterans' properties and the consequent inequality in the distribution of the cost of exemption in loss of tax revenue, the Legislature should enact provisions to reimburse counties and cities for such loss of revenue resulting from the exemption of veterans' property from ad valorem taxation.

2. Because of the unequal distribution among the counties and cities of welfare properties and the consequent inequality in the distribution of the cost of exemption in loss of tax revenue, the Legislature should enact provisions to reimburse counties and cities for such loss of revenue resulting from the exemption of welfare property from ad valorem taxation.

3. In order that the total amount of property in private ownership exempted from ad valorem taxation may be determined annually, it is recommended that all such property be entered on county and city assessment rolls in the same manner as taxable property with appropriate indication of its exemption.

4. That where property, which is owned by the State and which is, therefore, exempted from ad valorem taxation, is rented and income is derived therefrom by the State, provisions should be made to reimburse counties and cities in an amount equivalent to the property taxes which would be derived from such property were it held in private ownership.

5. That the Legislature, by resolution, urge Congress and the President of the United States:

- (a) To dispose immediately of all surplus property acquired for the prosecution of the war.
- (b) To refrain from the acquisition of additional property not essential to the conduct of permanent and established functions of the Federal Government.

- (c) To reimburse the state and local governments for the loss of tax revenue on property acquired by the Federal Government in an amount equivalent to that which would have been derived had such property remained subject to state and local taxation, or to dispose of such property in order that it may be returned to state and local taxation.

IV. *The Assessment of Property*

The property tax has been and will continue to be a major source of revenue to local governments. In view of the fiscal importance of this tax to local government, the equitable assessment of property for property tax purposes is a matter of primary interest to all local governments. At the same time, there is a state interest in property assessment because of the responsibility placed upon the State Board of Equalization to value the property of public utility enterprises and to equalize such valuations in relation to locally assessed property and in connection with the use of state funds for equalization purposes. The committee therefore recommends that:

1. Assessors be provided with staff and facilities essential to the efficient performance of the complicated task of valuation now confronting them.

2. Counties be permitted to undertake on a cooperative basis, provision for temporary or permanent assistance of a technical nature, in those cases in which, in the opinion of the boards of supervisors, such cooperative arrangements will facilitate more efficient and economical assessment practice.

3. Provisions should be made to stimulate the counties to undertake more frequent general reassessments of property, not only to secure a proper relation between assessed and actual value under changing conditions, but also to maintain that equalization of assessments within the county. The procedure to be followed should be in general conformity with the present procedure for county reappraisal commissions.

4. That the Division of Assessment Standards of the State Board of Equalization be provided with staff and equipment adequate to assist assessors in achieving a greater standardization of their procedures and practices.

5. At the present time the State Board of Equalization has authority to equalize assessments between counties only by raising or lowering the assessment as a whole. It seems desirable to extend this authority to permit equalization within counties in those cases where one type or class of property only requires equalization.

6. That all reserved mineral rights be entered on local assessment rolls and that legislation be introduced for the development of a standard procedure to be followed in the assessment of such rights.

7. That the assessment of personal property for retail sales be made on the basis of one-twelfth of the annual value of the inventory of such personal property.

V. *Personal Property Taxes*

1. That all personal property taxes be unsecured.
2. That the delinquent date for such personal property taxes be the same as the delinquent date for the first payment of real property taxes.
3. That all unsecured personal property taxes be collected by the tax collector.

VI. *Tax Statements*

That the last date for filing statements by the taxpayer be changed from the last Monday in June to the last Monday in May in order to relieve the pressure under which the assessor now operates in completing the assessment roll.

VII. *County Business Licenses*

That counties be given authority to impose licenses for the privilege of doing business in unincorporated areas.

VIII. *State General Fund Surplus*

1. That out of such surplus as may arise from the excess of State General Fund revenues over State General Fund expenditures, there shall be set up, first, a sinking fund sufficiently large to retire the entire outstanding state indebtedness.

2. That if, after the establishment of such a sinking fund sufficiently large to retire the entire state indebtedness, there remains any unbudgeted surplus, this surplus amount be placed in a stabilization fund to be used only when the revenues of the State, from present sources, are not adequate to balance the State Budget.

IX. *State Tax Administration*

The complexity of the tax system of the State and the distribution of the administration of this system among several different agencies, leads the committee to recommend that the question of consolidating all revenue administrations in one agency be studied with a view to determining whether such consolidation would be in the interest of greater economy and efficiency in State Government as well as greater convenience to the taxpayer. As part of this problem the committee further recommends that particular attention be given in this study to the question of the separation of liquor law enforcement from this tax administering agency.

X. *Ad Valorem Taxation of Property by the State*

The committee recommends the repeal of that portion of Section 34A of Article IV of the Constitution relating to the levy of an ad valorem tax on property by the State. The committee strongly

holds to the opinion that the State should never have recourse to ad valorem property taxation in order to balance any future State Budget. While the committee believes that such a property tax would never be used by the Legislature, nevertheless the existence of such power is an ever-present threat to the property taxpayer. The possibility of a state tax upon property must surely be recalled by many county assessors and boards of supervisors when they consider such problems as a reappraisal of property to a higher level of assessed valuation and the equalization of assessments. The committee is of the opinion that the repeal of this portion of the aforesaid section of the Constitution and the prohibition thereby of state ad valorem taxes would constitute a desirable incentive to improved assessment practices.

In summary, the recommendations submitted herewith indicate that while the State is currently in excellent financial condition, the committee nevertheless feels that the present surplus of General Fund revenues represents the prepaid taxes of many business enterprises and individual citizens and it strongly urges that, while the present revenue structure of the State should be retained intact, the surplus of General Fund revenues should be placed in a Stabilization Fund to provide financial assistance to the state and local government units during future lean years. In the interests of distributing the burdens of ad valorem property taxes more equitably, and at the same time perhaps, enlarging the receipts of local governments from this source, the committee recommends certain adjustments to the property tax base by way of assessment procedure and the granting of exemptions. Other recommendations regarding the motor vehicle in lieu tax, liquor license fees, and county business licenses are also designed to bolster the receipts of counties and cities. The committee recognizes that its recommendations do not provide for complete and permanent relief from the financial problems which have beset local government, but the assistance they provide in addition to the increased revenues from property taxes which may be expected, and rightly so with a continuance of current levels of employment and economic activity, should considerably lessen the seriousness of the problem. In addition to the specific recommendations set forth above which are designed to provide financial assistance to units of local government, the committee urges the Legislature to consider the reimbursement of local units for additional costs imposed upon them and for any loss of revenue they may have suffered through the depletion of the local tax base by legislative action. The committee further suggests that no future legislation be enacted which would have either the effect of adding to the costs of local government or depleting local tax revenues without first carefully analyzing the extra burden that such legislation would impose, and, secondly, providing for the reimbursement of the local government units concerned for any additional expenditures they may be required to make, or for the loss of tax revenue which they may be forced to endure.

Moreover, the foregoing recommendations do not provide for major alterations in the revenue structure of either the state or the local governments. The committee feels that considerable additional study and research is both necessary and desirable regarding certain of the problems within the scope of its inquiry. Among these, the financial operations of school districts and other special districts take precedence in its attention. Temporarily, at least, some of the financial problems of the former have been mitigated by the increased state apportionments to schools contained in the constitutional amendment adopted as an initiative measure in November, 1946. However, this does not imply that such a study should be postponed. On the contrary, the heavy burden that fixed charges of this nature, which derive either from the Constitution or from an action of the Legislature, place against the revenues of the State, make an inquiry into the fiscal administration of districts imperative and urgent. A second matter which, in the judgment of the committee, ought to receive further and careful analysis is the impact of federal tax collections upon the State's economy and their ultimate effects upon the state and local revenue systems. In 1945-46, total taxes collected by the federal, state and local governments in California amounted to approximately \$4,360,000,000, or about one-third of the income payments in the State for that year. The share of the Federal Government amounted to better than three-fourths of these total collections. The committee strongly urges a thorough study of this problem and the broader problem of the effects of federal, state and local taxes upon business enterprise, individual incomes and general economic development in California.

With a view of expanding the investigation beyond the limits which time, funds and staff have imposed up to this point so that the Legislature may, (1) secure more complete information regarding the fiscal administration and operation of school and other districts, (2) carefully and thoroughly study the assessments of the public utility properties set forth in Article XIII, Section 14 of the Constitution which are now assessed by the State Board of Equalization, (3) maintain, on a current basis, the present compilations of data which have been developed on the finances of counties, cities and districts, (4) further investigate and analyze federal, state and local fiscal relationships in California to secure a more complete and comprehensive view of these relationships and their impact upon the economy of the State, and (5) seek more permanent and long-run solutions to many of the problems of government finance in California than have heretofore been suggested and adopted by many units of government in periods of financial stringency, the committee believes that the present inquiry should be extended. The following recommendation embodies this proposal.

XI. *Continuation of the Study of State and Local Government Finance in California*

1. That the Legislature, through the creation of a committee for this purpose, continue this inquiry into the fiscal affairs of state and local government in California. This committee should be assisted by a tax counsel responsible for the direction of all research required by the committee.

2. Since traditionally the Legislature has a fundamental and major responsibility to provide funds by the enactment of revenue laws which are fair and equitable in the distribution of their burdens among taxpayers, and to apportion these funds to the proper authority for their expenditure, it is recommended that upon the completion of the work of this committee, the Legislature establish a permanent legislative committee to be known as the Legislative Revenue and Taxation Research Committee. The committee would be charged with maintaining on a current annual basis the data and analyses submitted by prior and current committees and would report annually to the Legislature on all matters pertaining to revenue and taxation and the allocation of funds derived therefrom by the state and local units of government. This standing committee would be assisted by a permanent Legislative Tax Counsel who would be charged with the maintenance and continuance of all research pertaining to these problems.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules to which was referred the message from the Governor, dated January 30, 1947, appointing

ZDENKA BUBEN, to the Board of Social Work Examiners, vice self, for the term prescribed by law, ending January 15, 1951;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Zdenka Buben as a member of the Board of Social Work Examiners.

The President put the question, "Will the Senate confirm and consent to the appointment of Zdenka Buben?"

The roll was called, with the following result:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Zdenka Buben as a member of the Board of Social Work Examiners.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules to which was referred the message from the Governor, dated January 30, 1947, appointing

JESSIE S. WILLIAMSON, to the Social Welfare Board, vice self, for the term prescribed by law, ending January 15, 1951;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Jessie S. Williamson as a member of the Social Welfare Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Jessie S. Williamson?"

The roll was called, with the following result:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Jessie S. Williamson as a member of the Social Welfare Board.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules to which was referred the message from the Governor, dated January 30, 1947, appointing

LARS E. CARLSON, to the Board of Trustees of the Norwalk State Hospital, vice self, for the term prescribed by law, ending December 28, 1950;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Lars E. Carlson as a member of the Board of Trustees of the Norwalk State Hospital.

The President put the question, "Will the Senate confirm and consent to the appointment of Lars E. Carlson?"

The roll was called, with the following result:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Lars E. Carlson as a member of the Board of Trustees of the Norwalk State Hospital.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules to which was referred the message from the Governor, dated January 30, 1947, appointing

C. ARNHOLT SMITH, to the California Highway Commission, vice self, for the term prescribed by law, ending January 15, 1951;

HOMER P. BROWN, to the California Highway Commission, vice self, for the term prescribed by law, ending January 15, 1951;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR**Motion to Confirm Appointments by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of C. Arnholt Smith and Homer P. Brown as members of the California Highway Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of C. Arnholt Smith and Homer P. Brown?"

The roll was called, with the following result:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Cunningham, DeLap, Desmond, Dillinger, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, Parkman, Powers, Rich, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of C. Arnholt Smith and Homer P. Brown as members of the California Highway Commission.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules to which was referred the message from the Governor, dated January 30, 1947, appointing

AWBREY MOFFITT, to the Agricultural Prorate Advisory Commission (representing citrus interests), vice C. E. Myers, for the term prescribed by law, ending January 1, 1948;

W. S. EVERTS, to the Agricultural Prorate Advisory Commission (representing commercial handlers), vice self, for the term prescribed by law, ending January 1, 1951;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Powers moved that the Senate confirm and consent to the appointment of Awbrey Moffitt and W. S. Everts as members of the Agricultural Prorate Advisory Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Awbrey Moffitt and W. S. Everts?"

The roll was called, with the following result:

AYES—Senators Breed, Brown, Burns, Busch, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Weybret, and Williams—28.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Awbrey Moffitt and W. S. Everts as members of the Agricultural Prorate Advisory Commission.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules to which was referred the message from the Governor, dated January 30, 1947, appointing

DANIEL JUDSON CALLAGHAN, to the California Veterans Board, vice self, for the term prescribed by law, ending January 15, 1951;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Daniel Judson Callaghan as a member of the California Veterans Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Daniel Judson Callaghan?"

The roll was called, with the following result:

AYES—Senators Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Weybret, and Williams—28.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Daniel Judson Callaghan as a member of the California Veterans Board.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules to which was referred the message from the Governor dated January 30, 1947, appointing

B. A. ETCHEVERRY, to the State Water Resources Board, vice self, for the term prescribed by law, ending January 15, 1951;

LESTER S. READY, to the State Water Resources Board, vice self, for the term prescribed by law, ending January 15, 1951;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR**Motion to Confirm Appointments by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of B. A. Etcheverry and Lester S. Ready as members of the State Water Resources Board.

The President put the question, "Will the Senate confirm and consent to the appointment of B. A. Etcheverry, and Lester S. Ready?"

The roll was called, with the following results:

AYES—Senators Brown, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hulse, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Swing, Watson, Weybret, and Williams—26.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of B. A. Etcheverry, and Lester S. Ready as members of the State Water Resources Board.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules to which was referred the message from the Governor, dated January 30, 1947, appointing:

WENDELL ROBE, to the State Board of Forestry (representing forest land ownership), vice self, for the term prescribed by law, ending January 15, 1951;

FRANK W. REYNOLDS, to the State Board of Forestry (representing redwood producing industry), vice self, for the term prescribed by law, ending January 15, 1951;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Powers moved that the Senate confirm and consent to the appointment of Wendell Robie, and Frank W. Reynolds as members of the State Board of Forestry.

The President put the question, "Will the Senate confirm and consent to the appointment of Wendell Robie, and Frank W. Reynolds?"

The roll was called, with the following result:

AYES—Senators Brown, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hulse, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Wendell Robie, and Frank W. Reynolds as members of the State Board of Forestry.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor, dated January 30, 1947, appointing

ERNEST B. WEBB, to the Industrial Accident Commission, vice self, for the term prescribed by law, ending January 15, 1951;

DAN MURPHY, JR., to the Industrial Accident Commission, vice self, for the term prescribed by law, ending January 15, 1951;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Powers moved that the Senate confirm and consent to the appointment of Ernest B. Webb; and Dan Murphy, Jr., as members of the Industrial Accident Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Ernest B. Webb and Dan Murphy, Jr.?"

The roll was called, with the following result:

AYES—Senators Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hulse, Jaspersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Swing, Tenney, Weybret, and Williams—29.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Ernest B. Webb and Dan Murphy, Jr., as members of the Industrial Accident Commission.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 1176: By Senators Tenney and Desmond—An act establishing a state college in the City of Los Angeles, County of Los Angeles, to be known as the Los Angeles State College, and making an appropriation therefor.

Referred to Committee on Education.

Senate Bill No. 1177: By Senator Rich—An act to amend Sections 8710 and 8719 of the Water Code, relating to the powers and duties of the Reclamation Board.

Referred to Committee on Water Resources.

Senate Bill No. 1178: By Senator Tenney—An act to add a new Article 3 to Chapter 5, Page 9, Division 1, of the Revenue and Taxation Code, relating to judicial review of assessments and taxes alleged to be illegal or erroneous and providing procedure for such review.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1179: By Senator Tenney—An act to amend Section 408 of the Revenue and Taxation Code, relating to records in the assessor's office.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1180: By Senator Tenney—An act to amend Section 110 of the Revenue and Taxation Code, relating to definition of terms used for taxation purposes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1181: By Senators Tenney, Dilworth, Watson, Desmond, Kraft, and Burns—An act to add Section 9176.5 to the Education Code, relating to federal programs of education.

Referred to Committee on Education.

Senate Bill No. 1182: By Senator Tenney—An act amending Sections 4, 11, and 12 of the county peace officers, retirement law, relating to county peace officers' retirement systems.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1183: By Senator Tenney—An act to add a new section of an act entitled "An act to authorize the counties of the State of California to establish system for the retirement and pension of certain county and township officers and employees, namely, county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county board of supervisors to levy a special tax," approved May 5, 1931, relating to the county peace officers retirement system.

Referred to Committee on Local Government.

Senate Bill No. 1184: By Senator Tenney—An act to amend Section 11110 of the Insurance Code, relating to fraternal benefit societies.

Referred to Committee on Financial Institutions.

Senate Bill No. 1185: By Senator Tenney—An act relating to aeronautics, providing for the establishment of a State Aeronautics Commission, prescribing its powers, duties, purposes and responsibilities, and providing for the registration, licensing and regulation of aircraft and the operators thereof.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1186: By Senator Tenney—An act providing for the supervision and regulation of the transportation of persons and property for compensation by aircraft between places within the State of California; defining air common carriers and providing for the supervision and regulation thereof by the California Aeronautics Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act.

Referred to Committee on Transportation.

Senate Bill No. 1187: By Senator Tenney—An act to amend Section 5410 of the Health and Safety Code, relating to the pollution of water.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1188: By Senator Tenney—An act to add Section 55.6 to the Alcoholic Beverage Control Act, relating to fair trade contracts.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1189: By Senator Dilworth—An act to amend Section 142 of the Vehicle Code, relating to registration of vehicles.

Referred to Committee on Transportation.

Senate Bill No. 1190: By Senator Hatfield—An act to amend Section 75 of the Streets and Highways Code, relating to the powers and duties of the California Highway Commission.

Referred to Committee on Transportation.

Senate Bill No. 1191: By Senator Sutton—An act making an appropriation for the construction and maintenance of a State Armory in the City of Red Bluff, County of Tehama.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1192: By Senator Sutton—An act to amend Section 378 of the Vehicle Code, relating to penalties on delinquent fees.

Referred to Committee on Transportation.

Senate Bill No. 1193: By Senator Mayo—An act to amend Section 38f of the Alcoholic Beverage Control Act, relating to license limitation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1194: By Senator Sutton—An act making an appropriation to the Fish and Game Commission for a fish hatchery in the vicinity of Stony Creek.

Referred to Committee on Fish and Game.

Senate Bill No. 1195: By Senator Sutton—An act to amend Section 9540 of the Business and Professions Code, relating to cleaning, dyeing and pressing establishments and persons engaged therein.

Referred to Committee on Business and Professions.

Senate Bill No. 1196: By Senator Hatfield—An act to add Section 4041.18a to the Political Code and Section 25456.5 to the Government Code, relating to powers of boards of supervisors.

Referred to Committee on Local Government.

Senate Bill No. 1197: By Senator Hatfield—An act to amend Section 694 of the Vehicle Code, relating to size and width of vehicles.

Referred to Committee on Transportation.

Senate Bill No. 1198: By Senator Cunningham—An act to amend Section 3456a of the Political Code, relating to reclamation districts.

Referred to Committee on Water Resources.

Senate Bill No. 1199: By Senator Busch—An act to amend Sections 338 and 340 of the Code of Civil Procedure, relating to limitation of actions.

Referred to Committee on Judiciary.

Senate Bill No. 1200: By Senator Busch—An act to amend Sections 20204, 20750, 20752, 20754, and 20757 of the Government Code, and to add Sections 20007.5 and 20750.1 thereto and Article 4.5, comprising Sections 20220 to 20222 to Chapter 2 of Part 3 of Division 5 of Title 2 thereof, relating to the finances of the State Employees' Retirement System, establishing the California Highway Patrol Retirement Fund, providing for deposits therein and payments therefrom, and for the transfer thereto of certain moneys from the State Employees' Retirement Fund.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1201: By Senator Hatfield—An act to amend Section 697 of the Vehicle Code.

Referred to Committee on Transportation.

Senate Bill No. 1202: By Senator Keating—An act to amend Section 4 of an act entitled "An act to provide for the acquisition of the Mount Tamalpais Ridgecrest Boulevard by the State, and the inclusion thereof in the park system, and making an appropriation therefor," approved July 17, 1945, relating to the availability of the appropriation made thereby.

Referred to Committee on Finance.

Senate Bill No. 1203: By Senator Keating—An act to amend Sections 9 and 12 of the Municipal Water District Act of 1911, relating to the organization, government and powers of municipal water districts.

Referred to Committee on Local Government.

Senate Bill No. 1204: By Senator Denel—An act to add Section 92.6 to the Agricultural Code, relating to fairs conducted by counties and district agricultural associations.

Referred to Committee on Agriculture.

Senate Bill No. 1205: By Senator Desmond—An act to amend Section 201 of the Labor Code, relating to the payment of wages.

Referred to Committee on Labor.

Senate Bill No. 1206: By Senators O'Gara and Tenney—An act to regulate the rental of dwelling accommodations, providing for the administration of said regulations, declaring the purposes, policy, and necessity therefor, and providing for the fixing of fair rentals during the period of the emergency caused by the shortage of housing facilities and the increase in the population of the State.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1207: By Senators O'Gara and Tenney—An act making an appropriation for student housing at the state colleges.

Referred to Committee on Education.

Senate Bill No. 1208: By Senators O'Gara and Tenney—An act to provide for housing, prescribing the powers and duties of the Director of Finance in connection with the emergency housing shortage, authorizing the issuance and sale of revenue bonds payable from net revenues from housing projects under this act, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1209: By Senators O'Gara and Tenney—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds for the single object of creating a fund to provide for housing, defining the powers of certain state officers in relation thereto, providing for the expense of preparing and advertising the sale of such bonds, and providing for the submission of this act to the vote of the people.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1210: By Senator O'Gara—An act to repeal Section 16075 and add new Section 16075 to the Education Code, relating to membership in any secret fraternity, sorority or club.

Referred to Committee on Education.

Senate Bill No. 1211: By Senator O'Gara—An act to amend Section 1241 of the Code of Civil Procedure, relating to the taking of property under proceedings in eminent domain.

Referred to Committee on Judiciary.

Senate Bill No. 1212: By Senator O'Gara—An act to add Section 3044.5 to the Business and Professions Code, relating to admission of veterans to practice optometry.

Referred to Committee on Business and Professions.

Senate Bill No. 1213: By Senator O'Gara—An act to add Section 18721.1 to the Education Code, relating to the sale of personal property.

Referred to Committee on Education.

Senate Bill No. 1214: By Senator O'Gara—An act to amend Section 18191 of the Education Code, relating to the construction of school buildings.

Referred to Committee on Education.

Senate Bill No. 1215: By Senator Desmond—An act to authorize the sale of the property in the City of Sacramento used by the State Agricultural Society for the State Fair and to provide for the disposition and use of the proceeds from such sale.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1216: By Senator Desmond—An act making an appropriation to the Director of Finance for the acquisition of a site for the California State Fair.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1217: By Senator Desmond—An act to amend Section 73 of the Agricultural Code, relating to the California State Fair.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1218: By Senators Desmond, Burns, and Tenney—An act to provide for a comprehensive survey of the system of publicly supported higher education in California, including the junior colleges, the state colleges and the University of California and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 1219: By Senators Desmond and Tenney—An act making an appropriation for the establishment, equipment and maintenance of a state college at Sacramento.

Referred to Committee on Education.

Senate Bill No. 1220: By Senators Desmond, Burns, and Tenney—An act making an appropriation for the acquisition and construction of buildings at the Sacramento State College.

Referred to Committee on Education.

Senate Bill No. 1221: By Senators Desmond, Burns, and Tenney—An act establishing a state college in the City of Sacramento, County of Sacramento, to be known as the Sacramento State College.

Referred to Committee on Education.

Senate Bill No. 1222: By Senators Desmond, Burns, and Tenney—An act establishing a state college in the City of Sacramento, County of Sacramento, to be known as the Sacramento State College, and making an appropriation therefor.

Referred to Committee on Education.

Senate Bill No. 1223: By Senator Powers—An act to amend Section 4041.18 of the Political Code and Sections 25450 and 25457 of the Government Code, relating to powers of the board of supervisors.

Referred to Committee on Local Government.

Senate Bill No. 1224: By Senator Breed—An act to add Section 4307.6 to the Political Code, relating to county charges and to the collection and expenditure of funds for the services of physicians and surgeons in county hospitals.

Referred to Committee on Local Government.

Senate Bill No. 1225: By Senator Breed—An act to provide for a Commission for the Revision and Codification of the Election Laws, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1226: By Senator Rich—An act to amend Section 21300 of the Government Code, relating to the State Employees' Retirement System in respect to the disability retirement pension payable to persons gainfully employed.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1227: By Senator Swing—An act to add Section 2501a to the Civil Code, relating to certificates of limited partnerships.

Referred to Committee on Judiciary.

Senate Bill No. 1228: By Senator McCormack—An act to amend Section 820.5 of the Streets and Highways Code, relating to the performance of work for the Federal Government.

Referred to Committee on Transportation.

Senate Bill No. 1229: By Senator McCormack—An act to amend Section 680 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

Senate Bill No. 1230: By Senator McCormack—An act to amend Section 194 of, and to repeal Sections 203 and 206 of the Streets and Highways Code, relating to expenditures of state highway funds in cities.

Referred to Committee on Transportation.

Senate Bill No. 1231: By Senator McCormack—An act to amend Section 779 of the Vehicle Code, relating to the distribution of the Motor Vehicle Fund.

Referred to Committee on Transportation.

Senate Bill No. 1232: By Senator McCormack—An act to amend Sections 370 and 372 of the Vehicle Code, relating to fees on vehicles.

Referred to Committee on Transportation.

Senate Bill No. 1233: By Senator Desmond—An act to add Chapter 9.7, comprising Sections 6898 to 6898.6, inclusive, to Part 1 of Division 6 of the Health and Safety Code, relating to the withdrawal of territory from a sanitary district by inclusion in a city, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

Senate Bill No. 1234: By Senator Desmond—An act to amend Section 4830 of, and to add Chapter 9.7, comprising Sections 6899 to 6899.9, inclusive, to Part 1 of Division 6 of, the Health and Safety Code, relating to withdrawal of territory from a sanitary district.

Referred to Committee on Local Government.

Senate Bill No. 1235: By Senators Collier and Busch—An act to add Article 5 comprising Sections 1770 to 1779, inclusive, to Division 1, Part 3, Chapter 1 of the Revenue and Taxation Code, relating to periodic reinspection and reappraisal of all taxable property for the purpose of equalization of assessments.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1236: By Senators Collier and Busch—An act to amend Section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1237: By Senators Collier and Busch—An act to amend Section 1716 of the Revenue and Taxation Code, relating to appraisal commissions.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1238: By Senator Jespersen—An act to add Section 3131 to the Business and Professions Code, relating to the practice of optometry.

Referred to Committee on Business and Professions.

Senate Bill No. 1239: By Senator Weybret—An act to amend Section 820 of the Agricultural Code, relating to the packing of tomatoes.

Referred to Committee on Agriculture.

Senate Bill No. 1240: By Senator Weybret—An act to amend Section 814 of the Agricultural Code, relating to head lettuce.

Referred to Committee on Agriculture.

Senate Bill No. 1241: By Senator Weybret—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Senate Bill No. 1242: By Senator Weybret—An act to amend Section 2709 of the Penal Code, relating to products of the employment of prisoners and authorizing sale for private use of surplus animals from prison dairy herds.

Referred to Committee on Institutions.

Senate Bill No. 1243: By Senator Weybret—An act to amend Section 13923 of the Government Code, relating to revolving fund advances.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1244: By Senator Burns—An act to amend Section 54 of the Alcoholic Beverage Control Act, relating to the licensing of the manufacture, distribution and sale of alcoholic beverages.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1245: By Senator Burns—An act to amend Section 12 of, and to add Section 7.1 to, the Alcoholic Beverage Control Act, relating to licensing sales of alcoholic beverages.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1246: By Senator Burns—An act to amend Section 3307 of the Public Resources Code, relating to gas and oil.

Referred to Committee on Natural Resources.

Senate Bill No. 1247: By Senator Burns—An act making an appropriation to Twenty-first District Agricultural Association for rehabilitation and improvements of its property.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1248: By Senator Burns—An act to amend Section 8 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to the availability of the appropriation made thereby.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1249: By Senator Slater—An act to amend Section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1250: By Senator Slater—An act to add Section 401.5 to the Revenue and Taxation Code, relating to issuance of appraisal data by board to assessors.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1251: By Senator Tenney—An act to provide for the establishment, organization, government and powers of community service districts, authorizing such districts to levy taxes, and to incur bonded indebtedness for improvements.

Referred to Committee on Local Government.

Senate Bill No. 1252: By Senators Burns and Kraft—An act to add Section 2559 to the Business and Professions Code, relating to dispensing opticians.

Referred to Committee on Business and Professions.

Senate Bill No. 1253: By Senators Burns and Kraft—An act to amend Section 2552 of the Business and Professions Code, relating to the qualifications of dispensing opticians.

Referred to Committee on Business and Professions.

Senate Bill No. 1254: By Senator Burns—An act to amend Section 3 of an act entitled "An act to regulate, and to prohibit fraud and deception in, the sale of olive oil, imitation olive oil, and other edible oils, to repeal and act entitled 'An act to regulate the sale of imitation olive oil, and to repeal an act entitled "An act to regulate the sale of olive oil," approved March 10, 1891,' " approved March 23, 1893, and to amend Section 28480 of the Health and Safety Code, relating to the blending of olive oil.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1255: By Senator Burns—An act to amend Section 26366 of the Health and Safety Code, relating to adulterated or misbranded articles of drugs.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1256: By Senator Burns—An act to amend Section 26586 of the Health and Safety Code, relating to adulterated or misbranded articles of foods.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1257: By Senator Burns—An act to add Chapter 5, comprising Sections 1630 to 1638, inclusive, to Division 2 of the Health and Safety Code, relating to the collection, preservation and distribution of human blood and its derivatives, prescribing the powers and duties of the Department of Public Health with reference thereto and making an appropriation therefor.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1258: By Senator Burns—An act to amend Section 817 of the Penal Code, relating to peace officers.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1259: By Senator Burns—An act to amend Sections 1403, 1415, and 1417, to repeal Section 1413, and to amend and renumber Section 1413.5, of the Health and Safety Code, to add Sections 1419, 1420, and 1421 to the Health and Safety Code, and to amend Sections 211, 215, and 218, and to amend and renumber Section 117, of the Welfare and Institutions Code, relating to state licensing and supervision of public and private hospitals, institutions, and welfare functions, transferring jurisdiction over public hospitals from the Department of Social Welfare to the Department of Public Health, subjecting public hospitals to supervision and licensing by the Department of Public Health, and providing for reports by county boards of public welfare

to the state departments having jurisdiction over the respective institutions and functions.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1260: By Senator Burns—An act to amend Sections 5 and 8 of "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, relating to cannery license fees and charges.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1261: By Senator Burns—An act to amend Sections 22, 101, 111, and 201 of the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Referred to Committee on Business and Professions.

Senate Bill No. 1262: By Senator Burns—An act making an appropriation for purchase of real property for Fresno State College.

Referred to Committee on Education.

Senate Bill No. 1263: By Senator Burns—An act to add Sections 9502.1, 9505.1, 9540.1, 9540.2, 9540.3, 9540.4, 9544, and 9545 to the Business and Professions Code, and to amend Sections 9511, 9518, 9530, 9540, 9541, 9550, 9553, 9554, 9563, 9566, 9575, 9576, 9577, 9580, 9581, 9590, 9594, and 9595 of said code, relating to the regulation and practice of dry cleaning.

Referred to Committee on Business and Professions.

Senate Bill No. 1264: By Senators Hatfield, Hulse, Desmond, Crittenden, Powers, and Burns—An act to provide for the recruitment and placement of an adequate supply of farm labor; to provide for an agricultural study in connection with farm labor and the availability thereof and to carry on a farm labor informational service; to generally assure an adequate supply of farm labor in connection with the planting, growing and harvesting of farm commodities and products; creating a California Farm Labor Placement Service; providing for a director, an advisory board and for necessary officers and employees; defining the powers and duties of the director and the advisory board and such other officers or employees; making an appropriation therefor, and to amend Section 92 of the Unemployment Insurance Act, relating to farm labor placement.

Referred to Committee on Agriculture.

Senate Bill No. 1265: By Senators Swing and Jespersen—An act to add Section 2191.5 to the Business and Professions Code, relating to applications to the Board of Osteopathic Examiners of the State of California for osteopathic physician's and surgeon's certificates.

Referred to Committee on Business and Professions.

Senate Bill No. 1266: By Senator Sutton—An act making an appropriation for the construction and maintenance of a state armory in the City of Willows, County of Glenn.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 1267: By Senators Weybret, Tenney, and O'Gara—An act to add Section 3300.4 to the Welfare and Safety Code, relating to acquisition of necessary facilities to care for county nonresident persons suffering from tuberculosis, and making an appropriation.

Referred to Committee on Social Welfare.

Senate Bill No. 1268: By Senator Dillinger—An act to add Sections 5.5 and 22.5 to the Alcoholic Beverage Control Act, relating to the licensing of on-sale licensees and the payment of fees therefor.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1269: By Senator Donnelly—An act making an appropriation to pay the claim of E. J. Kovats against the State of California.

Referred to Committee on Finance.

Senate Bill No. 1270: By Senator Donnelly—An act to add Section 5082.7 to the Business and Professions Code, relating to public accountants.

Referred to Committee on Business and Professions.

Senate Bill No. 1271: By Senator Donnelly—An act to add Section 5033.5 to the Business and Professions Code, relating to public accountants.

Referred to Committee on Business and Professions.

Senate Bill No. 1272: By Senators Donnelly, Jespersen, Dillinger, Carter, Burns, O'Gara, and Tenney—An act to amend Sections 2000, 2011, 2020, 2160, 2181, 2186, and 2187 of the Welfare and Institutions Code, to amend the chapter heading of Chapter 1 of Division 3 thereof, to amend and renumber Section 2021.001 thereof to be Section 2021, to add Sections 2000.1, 2000.2, 2019, 2020.1, and 2020.2 thereto, and to repeal Sections 2021, 2021.01, 2025, 2181.01, 2187.01, and 2224 thereof, and to amend Section 206 of the Civil Code and Section 270c of the Penal Code, relating to aid to the aged, designating such aid as senior citizens grants, increasing the amount thereof and providing for funeral benefits and health services for recipients thereof, modifying property and income qualifications therefor, eliminating the liability of relatives to contribute to the support of recipients thereof and to make reimbursement therefor, and making an appropriation.

Referred to Committee on Social Welfare.

Senate Bill No. 1273: By Senator Donnelly—An act making an appropriation for expenditure by the State Fire Marshal in carrying out the provisions of Chapter 8, Part 3, Division 13 of the Health and Safety Code, relating to inflammable materials, the act to take effect immediately.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1274: By Senator Gordon—An act to add Sections 45.5 and 370.5 to the Vehicle Code, relating to registration of vehicles known as jeeps.

Referred to Committee on Transportation.

Senate Bill No. 1275: By Senator Tenney—An act to amend Section 108 of the Civil Code, relating to divorce, including actions and causes of action therefor.

Referred to Committee on Judiciary.

Senate Bill No. 1276: By Senator Kraft—An act to add Section 805.5 to the Fish and Game Code, relating to abalones taken outside of the State.

Referred to Committee on Fish and Game.

Senate Bill No. 1277: By Senator Kraft—An act to amend Sections 4006, 4007, 4009, 4013, 4031, 4032, 4035, 4038, 4039, 4041, 4044, 4092, 4096, 4170, 4173, 4195, 4196, 4201, 4212, 4213, 4214, 4228, and 4256 of, to add Sections 4033, 4033.1, 4033.2, 4033.3, 4048, 4095, 4099, 4218, 4219, 4220, 4221, 4222, 4234, 4235, 4236, and Article 7 comprising Sections 4160 to 4164, inclusive, to Chapter 9 of Division 2 of the Business and Professions Code, and to repeal Sections 4034 and 4095 of said code, and to repeal Article 5 of Chapter 4, Division 10, of the Health and Safety Code, all relating to the practice of pharmacy.

Referred to Committee on Business and Professions.

Senate Bill No. 1278: By Senator Parkman—An act to add Chapter 5.6, comprising Sections 2600 to 2631, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the registration of physical therapy technicians.

Referred to Committee on Business and Professions.

Senate Bill No. 1279: By Senator Parkman—An act to define casual motor carrier sales agent; to provide for the regulation, control and supervision thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled 'An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof,' approved June 5, 1931, and all acts or parts of act inconsistent with the provisions of this act," approved May 15, 1933 as amended.

Referred to Committee on Public Utilities.

Senate Bill No. 1280: By Senator Desmond—An act to amend Section 736.12 of the Agricultural Code, relating to the establishment of minimum prices for fluid cream.

Referred to Committee on Agriculture.

Senate Bill No. 1281: By Senator Desmond—An act to add Chapter 7, comprising Sections 6461 and 6462, to Part 1 of Division 6 of the Public Resources Code, relating to quiet title actions against the State.

Referred to Committee on Judiciary.

Senate Bill No. 1282: By Senator Desmond—An act to transfer buildings of the Department of Professional and Vocational Standards to the Department of Finance and to repeal Chapter 5 of Division 1 of the Business and Professions Code, relating to the supervision and operation of state buildings, making an appropriation, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1283: By Senator Parkman—An act to add Section 55.6 to the Alcoholic Beverage Control Act, relating to alcoholic beverages and fair trade contracts with respect thereto.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1284: By Senator Weybret—An act to amend Sections 3300 and 3301, to add Sections 3300.1, 3300.2, and 3300.3, and to repeal Section 3300 (a) of the Health and Safety Code, relating to the care and treatment of persons suffering from tuberculosis, and making an appropriation therefor.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1285: By Senator McCormack—An act to amend Sections 465 and 467 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

Senate Bill No. 1286: By Senator Brown—An act to amend Section 117 of the Vehicle Code, relating to the California Highway Patrol.

Referred to Committee on Transportation.

Senate Bill No. 1287: By Senator Sutton—An act to repeal Sections 10 and 13 of the Fish and Game Code, and to add Sections 10 and 13 thereto, relating to the creation of a new Fish and Game Commission and defining its powers and duties.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1288: By Senator Sutton—An act to amend Section 451 of the California Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1289: By Senator Sutton—An act making an appropriation to the Department of Natural Resources, Division of Beaches and Parks, for the acquisition and improvement of William B. Ide Monument and Park.

Referred to Committee on Natural Resources.

Senate Bill No. 1290: By Senator Mayo—An act to amend Section 11 of the Fish and Game Code, relating to the compensation of the members of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Senate Bill No. 1291: By Senator Mayo—An act to amend Section 737e of the Political Code, relating to salary of superior court judges.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1292: By Senator Mayo—An act to amend Section 737ccc of the Political Code, relating to salary of superior court judges.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1293: By Senator Mayo—An act to amend Section 737v of the Political Code, relating to salary of superior court judges.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1294: By Senator Tenney—An act to amend Section 15000 of the Health and Safety Code, relating to the State Housing Act.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1295: By Senator Tenney—An act to add Sections 6387 and 6405 to the Revenue and Taxation Code, relating to the exemption from the sales and use taxes of the sale or use of public library books.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1296: By Senator Tenney—An act to amend Section 1090 of the Government Code, relating to official acts and contracts of public officers.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1297: By Senator Carter—An act to amend Section 13101 of the Health and Safety Code, relating to fire protection.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1298: By Senator Williams—An act to add Section 18 to the County Water Works District Act, relating to the government of county waterworks districts.

Referred to Committee on Water Resources.

Senate Bill No. 1299: By Senator Tenney—An act to repeal Part 4, comprising Sections 9601 to 10501, inclusive, of Division 2 of the Revenue and Taxation Code, imposing a tax upon persons engaged in the transportation of persons or property for hire or compensation by motor vehicle.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1300: By Senator Tenney—An act making an appropriation to pay the claim of Robert W. Kenny against the State of California.

Referred to Committee on Finance.

Senate Bill No. 1301: By Senator Tenney—An act to add Chapter 2, consisting of Sections 1600 through 1603, to Part 2 of Division 2 of the Welfare and Institutions Code, relating to state aid to widows with minor children, where the widow works for their support.

Referred to Committee on Social Welfare.

Senate Bill No. 1302: By Senator Kraft—An act to amend Sections 407 and 411 of the Code of Civil Procedure, to provide for the service of summons.

Referred to Committee on Judiciary.

Senate Bill No. 1303: By Senator Kraft—An act to amend Sections 473 and 473a of the Code of Civil Procedure, to provide for the expediting of civil process.

Referred to Committee on Judiciary.

Senate Bill No. 1304: By Senator Kraft—An act to amend Section 4041.21 of the Political Code, relating to the jurisdiction and powers of boards of supervisors.

Referred to Committee on Local Government.

Senate Bill No. 1305: By Senator Kraft—An act requiring the owners of motor vehicles to provide security for the payment of damages for injuries to persons and property resulting from their negligence; and to prescribe penalties for violations of this act.

Referred to Committee on Transportation.

Senate Bill No. 1306: By Senator Kraft—An act to amend Section 10 of the County Water Authority Act, relating to annexations to county water authorities.

Referred to Committee on Water Resources.

Senate Bill No. 1307: By Senator Hatfield—An act to amend Section 241 of the Code of Civil Procedure, relating to impaneling of grand juries.

Referred to Committee on Judiciary.

Senate Bill No. 1308: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to amend Section 20130 of the Government Code, relating to the State Employees' Retirement System in respect to the rate of interest adopted by the Board of Administration.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1309: By Senator Collier—An act to amend Section 13661 of the Government Code, relating to the distribution of state publications.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1310: By Senator Sutton—An act making an appropriation for the acquisition of a site for the Sacramento River Recreational State Park, and any necessary construction thereon and maintenance thereof.

Referred to Committee on Natural Resources.

Senate Bill No. 1311: By Senator Carter—An act to amend Section 1 of "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and to add Section 102.5 to the Municipal District Utility Law.

Referred to Committee on Local Government.

Senate Bill No. 1312: By Senator Carter—An act to amend Section 822 of the Penal Code, relating to bail.

Referred to Committee on Judiciary.

Senate Bill No. 1313: By Senator Carter—An act to amend Section 1233 of the Probate Code, relating to rules of pleading and practice in judicial proceedings.

Referred to Committee on Judiciary.

Senate Bill No. 1314: By Senator Carter—An act to amend Section 131 of the Civil Code, relating to divorce, including actions and causes of action therefor.

Referred to Committee on Judiciary.

Senate Bill No. 1315: By Senator Carter—An act to add Section 87 to the Civil Code, relating to residence required in actions for annulment of marriage.

Referred to Committee on Judiciary.

Senate Bill No. 1316: By Senator Carter—An act to amend Section 16050 of the Government Code, relating to actions on claims against the State of California.

Referred to Committee on Judiciary.

Senate Bill No. 1317: By Senators Judah and Salsman—An act to amend an initiative act entitled "An act entitled 'An act for the certification of land titles and the simplification of the transfer of real estate' approved March 17, 1897," approved by electors November 3, 1914, by adding Section 48.5 thereto, relating to the withdrawal of land from registry under the said act, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 16 of Article IV of the State Constitution.

Referred to Committee on Judiciary.

Senate Concurrent Resolution No. 23: By Senator Dillinger—Relative to the creation of a Joint Interim Committee on Labor Relations.

Referred to Committee on Rules.

Senate Constitutional Amendment No. 13: By Senator Sutton—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 25½ of Article IV thereof, relating to the Fish and Game Commission.

Referred to Committee on Fish and Game.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 28

Senator Keating moved that Senate Bill No. 28 be withdrawn from Committee on Judiciary, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 28—An act to add Section 578a to the Probate Code, relating to compromises and settlements by executors or administrators of claims, rights of action and actions for death by wrongful act.

Bill read second time.

Motion to Amend

Senator Keating moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, between the words "death" and "by", insert "or injury".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "any claim or right", and insert "all claims or rights".

Amendment No. 3

On page 1, line 6, of the printed bill, between the words "death" and "of", insert "or injury".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 7, 8, 9, 10, 11, 12, 13, and 14, and insert "action brought by him in attempting enforcement thereof. Such power shall include the giving of a covenant not to sue."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Finance

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:
Assembly Bill No. 973

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 7; noes 1; absent 3.

RICH, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT

Senator Rich asked for, and was granted, unanimous consent to have the following information printed in the Journal, following the report of the Committee on Finance regarding Assembly Bill No. 973.

Books for Which Funds Are Necessary on February 1, 1947

<i>Title of book</i>	<i>Grade</i>	<i>No. of copies required</i>	<i>Cost per copy</i>	<i>Total cost</i>
Purchase of completed books; Price F. O. B. Sacramento:				
The Story of Our Republic-----	8	40,000	\$1 65	\$66,000
Building America-----	7	45,000	1 684	75,780
Building America, Vol. 1-----	8	45,000	1 684	75,780
Building America, Vol. 2-----	8	45,000	1 684	75,780
		175,000		\$293,340
Printing and Binding in State Printing Plant:				
My Country-----	5	130,000	\$0 52	\$67,600
The American Continents-----	5	130,000	70	91,000
The United States of America-----	8	130,000	70	91,000
		390,000		\$249,600
Total -----				\$662,648

Subject: Request for Deficiency Appropriation for Publishing, Purchasing, Distributing Free Textbooks

In pursuance of the suggestion made by James S. Dean, Director of Finance, at a conference held last August between representatives of the Department of Finance and the Department of Education, request is hereby made for an appropriation to make possible publication of the following textbooks in reading:

<i>Title of book</i>	<i>Number of copies required</i>	<i>Estimated cost of printing</i>	<i>Total</i>
To School and Home Again—Primer-----	75,000	\$0 42	\$31,500
In City and on Farm—First Reader-----	75,000	42	31,500
Under the Roof—Second Reader-----	80,000	57	45,600
Under the Sun—Third Reader-----	80,000	50	40,000
Today and Tomorrow—Fourth Reader-----	80,000	68	54,400
The World Around Us—Fifth Reader-----	80,000	74	59,200
All Aboard for Storyland—Fourth Reader-----	135,000	68	91,800
			\$354,000

All of the foregoing books were adopted for a period beginning July 1, 1946. Publication of these books has thus far been impossible for two reasons:

1. The textbook appropriation for the current biennium is insufficient to permit placing of orders with the State Printing Plant.
2. Up to the present time the State Printing Plant has not been able to print these books in addition to printing books for which orders have been already placed.

These books should be made available to pupils not later than the beginning of the school year 1947-48. No reading textbooks for grades two through five have been available for distribution to schools during the current year.

We are informed by the State Printer that the foregoing books can be printed and available for distribution at the beginning of the school year 1947-48. An additional appropriation of \$354,000 is necessary in order for the Department of Education to be able to place orders for the foregoing books with the State Printer.

In view of its intention to make this request for a deficiency appropriation, the Department of Education did not include a provision for the foregoing books in its budget request for the biennium 1947-49.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 631

Senator Dilworth moved that Senate Bill No. 631 be withdrawn from Committee on Governmental Efficiency, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 631—An act to amend Section 16 of the Construction and Employment Act, relating to sewage facility projects.

Bill read second time.

Motion to Amend

Senator Dilworth moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 12 and".

Amendment No. 2

In line 2 of the title of said bill, after "to", insert "county road or highway and".

Amendment No. 3

On page 1, line 1, of said bill, after "Section 1.", insert "Section 12 of the Construction and Employment Act is amended to read:

Sec. 12. Notwithstanding the provisions of Section 18, the board shall upon application by any county authorize the immediate construction of any county road or highway project otherwise eligible.

Notwithstanding the provisions of any section of this act, other than those of Section 17, the board may make allotments for expenditures incurred by counties prior to the effective date of this act, but subsequent to February 13, 1946, for the construction of any county road or highway project.

The Legislature hereby finds and determines that the county roads and highways of the State have reached such a state of deterioration that the construction or reconstruction of such county roads and highways is necessary for, and will contribute to, the expansion and maintenance of a higher level of industrial, commercial, agricultural and other business activity and will thereby maintain and expand private employment, which will prevent or alleviate unemployment.

Sec. 2."

Amendment No. 4

On page 1, line 10, of said bill, strike out "1945", and insert "1946".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

REQUEST FOR UNANIMOUS CONSENT

Senator Dillinger asked for, and was granted, unanimous consent to have Senate Bill No. 144 retain its place on file.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

Assembly Bill No. 374—An act making appropriation to the Attorney General for appearing as counsel for the Indians of the State of California before the Indian Claims Commission, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 19—Relative to a study by the Judicial Council of the State of California of the court structure of all courts in the State of California exercising jurisdiction inferior to the superior court.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Weybret, and Williams—27.

NOES—Senators Dilworth, Donnelly, Jespersen, Rich, Swing, and Watson—6.

Resolution ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 611—An act to add Article 4 to Chapter 1, Part 3, Division 2, of the Insurance Code, relating to insurance, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Cunningham.

Motion to Re-Refer Assembly Bill No. 611

Senator Carter moved that Assembly Bill No. 611 be re-referred to Committee on Financial Institutions.

Roll Call Demanded

Senators Jespersen, Carter, and Quinn demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Senators Busch, Carter, Collier, Gordon, Hatfield, Mayo, Powers, Quinn, Rich, and Slater—10.

NOES—Senators Brown, Burns, Crittenden, Cunningham, Deuel, Dilworth, Donnelly, Jespersen, Judah, Kraft, McBride, O'Gara, Parkman, Salsman, Sutton, Swing, Tenney, Watson, and Williams—19.

Further Consideration of Assembly Bill No. 611**Urgency Clause**

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Crittenden, Cunningham, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—27.

NOES—Senators Busch, Carter, and Collier—3.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—28.

NOES—Senators Carter, Collier, Hatfield, and Rich—4.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 488—An act to amend Section 105 of the Revenue and Taxation Code, and to add Section 105.1 to said Code, relating to property taxes and declaring the urgency thereof to take effect immediately.

Bill read third time, and presented by Senator Carter.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

RECESS

At 12.26 p.m., on motion of Senator Powers, the Senate recessed until 3 p.m.

REASSEMBLED

At 3 p.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.
Chief Assistant Secretary Cleve V. Taylor at the desk.

MOTION TO PRINT WITH RUSH ORDER

Senator Powers moved that Senate Bill No. 1193 be sent to print with a rush order.

Motion carried.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time:

Senate Bill No. 1318: By Senators Keating, McBride, Collier, Cunningham, and Mayo—An act providing that the State of California enter into a compact with the States of Oregon and Washington, one or both, to promote the better utilization of the fisheries, marine, shell, and anadromous of the Pacific Seaboard, and to create the Pacific Marine Fisheries Commission; providing for the members of such commission from the State of California; providing for the administration of the provisions of said compact; and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1319: By Senator Keating—An act to add Chapter 8 to Part 2, Division 1, of the Health and Safety Code, relating to local administration of public health, providing for financial assistance to local health departments by the State Department of Public Health; providing for the establishment of minimum standards of personnel, organization and administration of local health departments, and providing for the establishment of multi-county local health districts; and making an appropriation.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1320: By Senators Keating, Hulse, McBride, and Breed—An act to add Section 12399 to the Government Code, relating to the salary of the State Controller.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1321: By Senator Hatfield—An act to amend Sections 11207, 11226, 11236, and 11460 of, and to add Article 12 to Chapter 2 of Part 3 of Division 6 of the Water Code, relating to water, and the construction of the Central Valley Project and the use of the waters thereof.

Referred to Committee on Water Resources.

Senate Bill No. 1322: By Senator Crittenden—An act to amend Section 1093 of the Penal Code, relating to order of proceedings at trial of criminal action.

Referred to Committee on Judiciary.

Senate Bill No. 1323: By Senator Crittenden—An act to repeal Sections 12023 and 12024 of the Business and Professions Code of the State of California.

Referred to Committee on Business and Professions.

Senate Bill No. 1324: By Senator Crittenden—An act to amend Section 28 of an act entitled "An act to regulate fees of office and salaries of certain officers, and to repeal certain other acts in relation thereto," approved March 5, 1870, as amended, relating to fees of grand and trial jurors, and the manner of payment of the same.

Referred to Committee on Judiciary.

Senate Bill No. 1325: By Senators Desmond, Quinn, Carter, Judah, Ward, Tenney, Dillinger, Jespersen, Hatfield, Crittenden, Busch, and Kraft—An act to provide for the securing of payment by owners of private automobiles of damages for injuries to persons or property caused by the negligence of such owners, or their agents, by requiring insurance, a surety bond, or a deposit of securities; and to prescribe penalties for violations of this act.

Referred to Committee on Transportation.

Senate Bill No. 1326: By Senator O'Gara—An act to amend Section 1908 of the Harbors and Navigation Code, relating to contract for fireboat services and making an appropriation of ----- dollars (\$-----).

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1327: By Senator Tenney—An act to add Section 3.5 to the Uniform Act for Out-of-State Parolee Supervision, relating to the retaking of probationers and parolees by officers of other states.

Referred to Committee on Judiciary.

Senate Bill No. 1328: By Senator Kraft—An act to add Section 411a to the Civil Code, to provide for the permanent and irrevocable appointment of the Secretary of State as the agent empowered to receive service of process for a foreign corporation which has or will acquire an interest in real or personal property situated in this State, and to provide for the continuance of such appointment after the foreign corporation ceases to do business in this State or is dissolved, or its corporate powers suspended.

Referred to Committee on Judiciary.

Senate Bill No. 1329: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to amend Section 6816 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund.

Referred to Committee on Natural Resources.

Senate Bill No. 1330: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to amend Sections 8352 and 8353 of the Revenue and Taxation Code, relating to appropriations from the Motor Vehicle Fuel Fund.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1331: By Senator Salsman—An act to add Article 1.5, comprising Sections 6520 to 6526, inclusive, to Chapter 1 of Part 4 of Division 6 of the Welfare and Institutions Code, relating to a Commission on Alcoholism for the rehabilitation of chronic alcoholics, providing for the creation thereof in the Department of Mental Hygiene, prescribing its powers and duties, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1332: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to add Part 5, comprising Sections 17501 to 17504, inclusive, to Division 4 of Title 2 of the Government Code, relating to the annual budget and the expenditure of funds pursuant thereto.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1333: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to add Article 3.5 to Chapter 1, Part 1 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1334: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to add Section 18104 to the Government Code, relating to sick leave of state employees.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1335: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to add Section 18939 to the Government Code, relating to physical examinations.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1336: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to add Section 123.5 to, and to repeal Section 123 of the Vehicle Code, relating to members of the California Highway Patrol.

Referred to Committee on Transportation.

Senate Bill No. 1337: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to add Section 4707 to, and to repeal Sections 4805 and 4855 of the Labor Code, all relating to benefits payable on account of death of employees who are members of the State Employees Retirement System.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1338: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to amend Sections 20013 and 20038 of the Government Code, relating to classes of membership and to benefits under the Retirement Law.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1339: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to repeal Chapter 295 of the Statutes of 1945 and Sections 160.5, 223.5, 395.6, and 395.7, and Chapter 4, comprising Sections 560 to 589, inclusive, of Part 2 of Division 2 of the Military and Veterans Code, relating to the California State Guard, reserving claims,

rights, benefits, and privileges of members and disciplinary power as to offenses, and providing for the liquidation of property, funds, and affairs of the California State Guard.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 1340: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to add Section 5009 to the Education Code, relating to audits and making an appropriation to the Department of Finance therefor.

Referred to Committee on Education.

Senate Bill No. 1341: By Senators Rich, Breed, DeLap, Powers, and Swing—An act making an appropriation to the Department of Finance for the purpose of making audits and investigations of school districts to determine validity of the allocation and expenditure of state funds for school purposes.

Referred to Committee on Finance.

Senate Bill No. 1342: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to amend Section 577 of the Military and Veterans Code, relating to medical, surgical, and hospital care for members of the California State Guard.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 1343: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to amend Section 37 of the Alcoholic Beverage Control Act, relating to appropriations from the Alcoholic Beverage Control Fund.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1344: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to amend Section 16652 of the Revenue and Taxation Code, relating to appropriations from the Gift Tax Fund.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1345: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to repeal Section 7103 of the Revenue and Taxation Code, relating to appropriations to carry out the Sales and Use Tax Law.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1346: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to repeal Section 19353 of the Revenue and Taxation Code, relating to appropriations to carry out the Personal Income Tax Law.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1347: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to amend Section 27 of the Corporation Income Tax Act, relating to appropriations to carry out said act.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1348: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to amend Section 5014 of the Public Resources Code, relating to the appropriation of moneys in the State Beach Fund.

Referred to Committee on Natural Resources.

Senate Bill No. 1349: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to amend Section 5014.1 of the Public Resources Code, relating to appropriations from the State Park Fund.

Referred to Committee on Natural Resources.

Senate Bill No. 1350: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to amend Section 18101 of the Government Code, relating to sick leave.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1351: By Senators Hulse, Powers, Ward, Parkman, and Burns—An act to amend Section 37 of the Alcoholic Beverage Control Act, relating to the disposition of funds collected as license fees.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1352: By Senators Hulse, Powers, Ward, Parkman, and Burns—An act to amend Sections 5 and 37 of the Alcoholic Beverage Control Act, relating to license fees and the disposition thereof.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1353: By Senators Hulse, Ward, Powers, Parkman, and Burns—An act to amend Section 11005 of the Revenue and Taxation Code, relating to motor vehicle license tax.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1354: By Senators Hulse, Powers, Ward, Parkman, and Burns—An act to amend Section 10752 of, and to add Section 10752.5 to, the Revenue and Taxation Code, relating to the vehicle license fee.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1355: By Senators Hulse, Powers, Ward, Parkman, and Burns—An act to add Section 1882.5 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1356: By Senators Hulse, Powers, Ward, Parkman, and Burns—An act to provide for reimbursement of counties, cities and counties, and cities for loss of revenue resulting from the exemption of real property from taxation, and making an appropriation therefor.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1357: By Senators Hulse, Ward, Powers, Parkman, and Burns—An act to add Section 16104 to and to amend Sections 16100, 16101, and 16102 of the Business and Professions Code, relating to licensing of business by counties.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1358: By Senators Hulse, Ward, Powers, Parkman, and Burns—An act to amend Sections 255 and 441 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1359: By Senators Hulse, Ward, Powers, Burns, and Parkman—An act to add Section 109.5 to the Revenue and Taxation Code, relating to unsecured property.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1360: By Senator Hulse—An act to amend Section 364 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

Senate Bill No. 1361: By Senator Hulse—An act making an appropriation to the University of California for acquisition of land and improvements for the Meloland Experimental Station in Imperial County.

Referred to Committee on Agriculture.

Senate Bill No. 1362: By Senator Hulse—An act to add Section 20176 to the Education Code, relating to the establishment of an agricultural training school and college, and making an appropriation.

Referred to Committee on Agriculture.

Senate Bill No. 1363: By Senators Hulse and Hatfield—An act to amend Sections 3694, 3698, 3699, 3700, and 3701, and to repeal Chapter 3.3 of Part 6 of Division 1, comprising Sections 3490 to 3495, inclusive, of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1364: By Senator Hulse—An act to amend Section 11272 of the Revenue and Taxation Code, relating to extensions of time for reporting operations of private cars.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1365: By Senator Hulse—An act to amend Section 815 of the Agricultural Code, relating to melons.

Referred to Committee on Agriculture.

Senate Bill No. 1366: By Senator Hulse—An act to amend Section 811 of the Agricultural Code, relating to cantaloupes.

Referred to Committee on Agriculture.

Senate Bill No. 1367: By Senator Hulse—An act to amend Section 6703 of the Business and Professions Code, relating to the practice of civil engineering.

Referred to Committee on Business and Professions.

Senate Bill No. 1368: By Senators Mayo, Brown, Collier, Busch, Hulse, Hatfield, and Carter—An act amending the Education Code to provide for equalizing the educational opportunities throughout the

State and prescribing the method of distributing funds for state support of the Public School System.

Referred to Committee on Education.

Senate Bill No. 1369: By Senator Crittenden—An act to amend Section 607 of the Code of Civil Procedure, relating to order of proceedings on trial of civil actions.

Referred to Committee on Judiciary.

Senate Bill No. 1370: By Senator Crittenden—An act to amend Section 900 of the Streets and Highways Code, relating to county highways.

Referred to Committee on Transportation.

Senate Bill No. 1371: By Senator DeLap—An act to repeal Sections 1060 and 1061 of, and to add Sections 1060, 1060.1, 1060.2, 1060.3, 1060.4, 1060.5, 1060.6, 1060.7, 1060.8, 1060.9, 1060.10, 1060.11, 1060.12, 1060.13, 1060.14, and 1062b to, the Code of Civil Procedure, relating to declaratory relief.

Referred to Committee on Judiciary.

Senate Bill No. 1372: By Senator Crittenden—An act to amend Section 100 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

Senate Bill No. 1373: By Senator Keating—An act to amend Section 731 of the Streets and Highways Code, relating to the powers of California Highway Patrol and peace officers in connection with protection of state highways.

Referred to Committee on Transportation.

Senate Bill No. 1374: By Senator Rich—An act to add Article 2.5 (comprising Sections 90 to 90.6, inclusive) to Chapter 1, Division 1 of the Streets and Highways Code, relating to the budgeting of state highway funds, specifying the powers and duties of the California Highway Commission and the State Highway Engineer in connection therewith, and providing for the making and distribution of reports thereof.

Referred to Committee on Transportation.

Senate Bill No. 1375: By Senators Gordon and Burns—An act to add a new section to be numbered 55.9 to the Alcoholic Beverage Control Act, relating to credit terms.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1376: By Senator Tenney—An act to amend Section 372 of the Vehicle Code, relating to weight fees for commercial vehicles.

Referred to Committee on Transportation.

Senate Bill No. 1377: By Senators Dilworth and Judah—An act to amend Section 381 of the Vehicle Code, relating to chauffeur's licenses.

Referred to Committee on Transportation.

Senate Bill No. 1378: By Senator Dilworth—An act to add Sections 6051.1 and 6201.1 to, and to amend Section 7102 of, the Revenue and Taxation Code, relating to the disposition of the proceeds of the retail sales and the use taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1379: By Senator Hatfield—An act making an appropriation to the Regents of the University of California for establishing a School of Highway and Road Engineering.

Referred to Committee on Education.

Senate Bill No. 1380: By Senators O'Gara and Keating—An act to amend Section 423 of the Probate Code, relating to nominees of persons entitled to administer.

Referred to Committee on Judiciary.

Senate Bill No. 1381: By Senator Keating—An act to amend Section 1244 of the Code of Civil Procedure, relating to allegations in complaint in proceedings in eminent domain.

Referred to Committee on Judiciary.

Senate Bill No. 1382: By Senators Burns, O'Gara, Breed, Tenney, Desmond, and Quinn—An act establishing an Educational Radio Facilities Commission and making an appropriation for the construction of a radio broadcasting system for educational purposes with radio relay facilities for network operations.

Referred to Committee on Education.

Senate Bill No. 1383: By Senator Powers—An act to amend Section 817 of the Penal Code, relating to peace officers.

Referred to Committee on Judiciary.

Senate Bill No. 1384: By Senator Powers—An act to amend Sections 4.1, 6, 7, 12, 24.4, 28, 34a, 34b, 39, and 40 of, to add Sections 37.5 and 59.7 to, and to repeal Section 48.6 of, the Alcoholic Beverage Control Act, relating to alcoholic beverages control.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1385: By Senator Collier—An act to amend Sections 5321, 5322, and 5323 of the Business and Professions Code, relating to the disposition of outdoor advertising revenue.

Referred to Committee on Business and Professions.

Senate Bill No. 1386: By Senator Burns—An act to amend Section 737j of the Political Code, relating to superior judges salaries.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1387: By Senator Tenney—An act to amend Section 8201 of the Government Code, relating to notaries public.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1388: By Senator McCormack—An act to amend Section 709 of the Vehicle Code, relating to enforcement of weight provisions.

Referred to Committee on Transportation.

Senate Bill No. 1389: By Senator McCormack—An act to amend Section 709 of the Vehicle Code, relating to enforcement of weight provisions.

Referred to Committee on Transportation.

Senate Bill No. 1390: By Senator McCormack—An act to add Section 1192.1 to the Insurance Code, relating to investments of insurers.

Referred to Committee on Financial Institutions.

Senate Bill No. 1391: By Senator Watson—An act to amend Section 10 of the Fish and Game Code, relating to the Division of Fish and Game.

Referred to Committee on Fish and Game.

Senate Bill No. 1392: By Senator Judah—An act to amend Section 20393 of the Government Code, relating to death benefits under the California State Employees' Retirement Law.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1393: By Senator O'Gara—An act to grant to the City and County of San Francisco any and all right, title and interest of the State of California in and to those certain submerged lands between the southerly boundary of the City of South San Francisco and the northerly boundary of the City of Burlingame contiguous to the San Francisco Airport in the County of San Mateo.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1394: By Senator Watson—An act to amend Section 796.2 of the Agricultural Code, relating to citrus fruits.

Referred to Committee on Agriculture.

Senate Bill No. 1395: By Senator Busch—An act to add Section 8893 to the Health and Safety Code, relating to the formation of public cemetery districts and providing that such formation shall not be subject to the District Investigation Act of 1933 as amended.

Referred to Committee on Local Government.

Senate Bill No. 1396: By Senator Hulse—An act to amend Section 20651 of the Education Code, relating to California Polytechnic School.

Referred to Committee on Education.

Senate Bill No. 1397: By Senator Brown—An act to amend Sections 15003, 15017, 15020, and 15028 of the Health and Safety Code, relating to health and safety.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1398: By Senator Sutton—An act to add Chapter 8 (comprising Sections 19900 to 19950, inclusive) to Part 3 of Division 13 of the Health and Safety Code, relating to fire protection and safety in buildings and housing.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1399: By Senator Sutton—An act to add Section 627.7 to the Penal Code, relating to unauthorized hunting on private property.

Referred to Committee on Fish and Game.

Senate Bill No. 1400: By Senator Keating—An act to provide for the operation and maintenance by the State of the Golden Gate Bridge, and for the incorporation thereof into the State Highway System.

Referred to Committee on Transportation.

Senate Bill No. 1401: By Senator Collier—An act to amend Section 14771 of the Revenue and Taxation Code, relating to inheritance tax appraisers.

Referred to Committee on Revenue and Taxation.

Senate Joint Resolution No. 10: By Senator Quinn—Relative to memorializing the President and Congress of the United States in relation to providing funds for a continued federal aid highway program.

Referred to Committee on Rules.

Senate Constitutional Amendment No. 14: By Senators Hulse, Ward, Powers, Parkman, and Burns—Proposed amendment to Article XIII of the Constitution by adding a new section numbered 19, relative to reimbursement by the State of counties, cities and counties, and cities for loss of revenue resulting from the exemption of real property from taxation.

Referred to Committee on Revenue and Taxation.

Senate Constitutional Amendment No. 15: By Senators Hulse, Powers, Ward, Parkman, and Burns—Proposed amendment to Article IV of the Constitution, relative to property taxation by the State.

Referred to Committee on Revenue and Taxation.

Senate Concurrent Resolution No. 24: By Senator Rich—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 3 (Res. Ch. 20, 1945).

Request for Unanimous Consent

Senator Rich asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 24, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 24

Senate Concurrent Resolution No. 24—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 3 (Res. Ch. 20, 1945).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Mayo, McBride, McCornack, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 19, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 19

Assembly Joint Resolution No. 19—Relative to requesting President Harry S. Truman to appoint a resident of California to the United States Maritime Commission.

Resolution read.

Motion to Amend

Senator Breed moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 25, of the printed resolution, strike out "now, therefore, be it", and insert "and".

Amendment No. 2

On page 1 of the printed resolution, between lines 25 and 26, insert "WHEREAS, We the membership of the California Legislature have learned with satisfaction that His Excellency, Harry S. Truman, President of the United States, is carefully considering the name of Senator Thomas F. Keating, a Democratic Member of the Senate of the California Legislature, for appointment to fill the said vacancy; and

WHEREAS, We the said membership of the said California Legislature are unanimously in accord in our belief in the ability, integrity and diligence of the said Senator Keating, and in our confidence that if appointed to membership on the said commission he will discharge the duties of that office with credit to the administration and with benefit to the maritime interest of the United States as a whole and of the Pacific Coast and of the State of California; now, therefore, be it".

Amendment No. 3

On page 2, line 2, of the printed resolution, strike out "a resident of the", and insert "the said Senator Thomas F. Keating".

Amendment No. 4

On page 2, line 3, of the printed resolution, strike out "State of California".

Amendments read, and adopted.

Resolution ordered printed, and to third reading.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 41

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 41—Relative to approving certain amendments to the charter of the City of Roseville, in the County of Placer, State of California, voted for and ratified by the electors of the city at a general municipal election held therein on the ninth day of April, 1946.

Request for Unanimous Consent

Senator Mayo asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 41, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 41

Assembly Concurrent Resolution No. 41—Relative to approving certain amendments to the charter of the City of Roseville, in the County of Placer, State of California, voted for and ratified by the electors of the city at a general municipal election held therein on the ninth day of April, 1946.

Resolution read, and presented by Senator Mayo.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Judah, Keating, Mayo, McBride, McCormack, O'Gara, Powers, Rich, Slater, Tenney, Watson, and Williams 23.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 19

Senate Joint Resolution No. 7

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 20

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 20—Relating to the Surplus Property Disposal Act of 1944, and rights of states and their political subdivisions to acquire surplus property.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 37

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 37—Relative to filing with the Legislative Auditor surveys prepared by administrative analysts in

the Department of Finance and by the Division of Audits of said department for study by Members of the Legislature.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 99

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1777

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

Assembly Bill No. 1777—An act to add Section 4.5 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to temporary and emergency housing for veterans, and authorizing a local agency to utilize the facilities and experience of another local agency, in providing housing pursuant to said act, to enter into agency or other appropriate agreements therefor, to validate such agreements between local agencies, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 25

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 25—Relative to memorializing the Federal Government to prevent the sale of Japanese-packed crab meat in the United States.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Assembly Bill No. 747

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 7; absent 5.

KEATING, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 747—An act to add Section 2042 to the Penal Code, relating to escapes from the California Vocational Institution, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, after "felony", insert "or a misdemeanor, in the discretion of the court".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 7

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Joint Resolution No. 25

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Joint Resolution No. 25—Relative to memorializing the Federal Government to prevent the sale of Japanese-packed crab meat in the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, Desmond, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, McCormack, O'Gara, Powers, Rich, Slater, Tenney, Watson, Weybret, and Williams—22.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor, dated February 3, 1947, appointing

KENNETH POTTER, as member of the Public Utilities Commission, vice Frank W. Clark, resigned, for the term prescribed by law, ending January 1, 1949: Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Powers moved that the Senate confirm and consent to the appointment of Kenneth Potter as a member of the Public Utilities Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of Kenneth Potter?"

The roll was called, with the following result:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, O'Gara, Powers, Rich, Salsman, Slater, Tenney, Watson, Weybret, and Williams—23.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Kenneth Potter as a Member of the Public Utilities Commission.

INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)

The following resolution was offered:

Senate Concurrent Resolution No. 25: By Senators Tenney, O'Gara, and Watson—Relative to requesting the Governor to proclaim a tree planting time for California.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 25, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 25

Senate Concurrent Resolution No. 25—Relative to requesting the Governor to proclaim a tree planting time for California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Hatfield, Hulse, Keating, McCormack, O'Gara, Powers, Rich, Slater, Tenney, Watson, and Williams—21.

NOES—Senators Gordon and Judah—2.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 28, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 28

Assembly Concurrent Resolution No. 28—Relative to Pepperdine College.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Powers, Rich, Salsman, Slater, Tenney, Watson, Weybret, and Williams—21.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)**

Assembly Concurrent Resolution No. 30—Relative to the purchase of aircraft for the Department of Education.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Tenney, Watson, Weybret, and Williams—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

ADJOURNMENT

At 4.56 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 9.30 a.m., Wednesday, February 5, 1947.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

TWENTY-THIRD LEGISLATIVE DAY

THIRTY-FIRST CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, February 5, 1947

The Senate met at 9.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Ward, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Sutton and Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dorothy Mary Bitner of Bakersfield.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to G. E. Arnold of San Diego.

RESOLUTIONS

The following resolutions were offered :

By Senator Brown :

Senate Resolution No. 47

Resolved, That all attaches and employees of the Senate, except the Secretary of the Senate, be stricken from the pay roll of the Senate upon the completion of work Wednesday, February 5, 1947.

Resolution read, and, on motion of Senator Brown, adopted.

By Senator Brown :

Senate Resolution No. 48

WHEREAS, Various Members of the Senate will desire to have shipped to their various places of residence their bill files and other printed matter for use during the constitutional recess; therefore, be it

Resolved, That the Sergeant-at-Arms of the Senate be authorized to procure such boxes, packing and other material as is necessary for the purpose of shipping same properly packed to said members, and the State Controller is hereby authorized to draw his warrant on the Contingent Expense Fund of the Senate in favor of the Sergeant-at-Arms, in an amount not to exceed two hundred fifty dollars (\$250), and the State Treasurer is hereby authorized to pay the same. The Sergeant-at-Arms is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above during the said constitutional recess.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Carter, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Slater, Sutton, Tenney, Watson, and Williams—25.

NOES—None.

By Senator Brown :

Senate Resolution No. 49

Resolved, That the Secretary of the Senate be and he is hereby ordered and directed to procure and distribute, during the constitutional recess and subsequent thereto, for the use of the Members of the Legislature, a complete and comprehensive Legislative Manual or Handbook similar to such publications of previous sessions, same to contain list of members and officers of both houses of the Legislature, lists of committees and rules of both houses and Joint Rules, together with indexes to the same; also to procure for the use of Members of the Legislature a Semi-Final Calendar containing a history of all bills introduced to date, together with a complete index and cross-index to the same, to be printed and distributed during the constitutional recess, and the Controller is hereby ordered and directed to draw his warrant on the Contingent Fund of the Senate in favor of the Secretary of the Senate in the sum of fifteen hundred dollars (\$1,500) to pay for such Handbook and Semi-Final Calendar, including services rendered in preparation and distribution thereof, and the Treasurer is hereby ordered and directed to pay the same. The cost of printing shall be charged to the Legislative Printing Fund. The Secretary of the Senate is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of this resolution.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Carter, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

By Senator Brown :

Senate Resolution No. 50

WHEREAS, The Legislature of the State of California assembled in the Fifty-seventh General Session will be at recess from February 5, 1947, to March 17, 1947; and

WHEREAS, It will be necessary for the Secretary of the Senate during such period of recess to conduct the business of the Senate and perform the duties provided by law, the Standing Rules of the Senate and resolutions adopted by the Senate and to employ certain necessary assistants incident thereto; therefore be it

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants in favor of the Secretary of the Senate and in favor of officers and employees who render services to the Senate as certified weekly by the Secretary, from the fund set aside for the pay of officers and employees of the Senate at the per diem provided by resolution of the Senate or as certified by the Secretary, and the Treasurer is hereby directed to pay the same.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Carter, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 1402: By Senators Powers, Salsman, and Brown—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Referred to Committee on Finance.

Senate Bill No. 1403: By Senator Powers—An act to amend Section 12001 of the Government Code, relating to the Governor's Office.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1404: By Senators Ward and Powers—An act to repeal Sections 75 and 90 of, and add Sections 75 and 90 to, and amend Section 91 of the Unemployment Insurance Act, relating to the administration of said act.

Referred to Committee on Social Welfare.

Senate Bill No. 1405: By Senator Keating—An act to amend Section 1203 of the Penal Code, relating to the granting of probation and to persons ineligible therefor.

Referred to Committee on Judiciary.

Senate Bill No. 1406: By Senator Collier—An act to add Sections 7310, 7354, 7653, and 7654 to the Revenue and Taxation Code, relating to the definition of persons and the imposition of storage or use taxes under the Motor Vehicle Fuel License Tax Law to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1407: By Senator Brown—An act to amend Section 34 of the Alcoholic Beverage Control Act, relating to possession of distilled spirits.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1408: By Senator Busch—An act to amend Sections 292 and 307 of, and to add Sections 292.5 and 307.5 to, the Vehicle Code, relating to the driving of vehicles.

Referred to Committee on Transportation.

Senate Bill No. 1409: By Senator Sutton—An act to add Section 86.5 to the Agricultural Code, relating to district agricultural associations.

Referred to Committee on Agriculture.

Senate Bill No. 1410: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to repeal Chapter 11, comprising Sections 19601 to 19617, inclusive, of Division 9, of the Education Code, and acts, sections and parts of acts specified herein, relating to child care centers, and providing for the transfer of money to the General Fund and property to the Department of Finance.

Referred to Committee on Social Welfare.

Senate Bill No. 1411: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to repeal Part 8, comprising Sections 15530 to 15565, inclusive, of Division 3 of Title 2 of the Government Code, relating to the State Reconstruction and Reemployment Commission, and providing for the transfer of money to the General Fund, and for the transfer of property to the Department of Finance.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1412: By Senator Parkman—An act to amend Section 118 of the County Employees Retirement Act of 1937 and Section 31679 of the Government Code, relating to retirement allowances.

Referred to Committee on Local Government.

Senate Bill No. 1413: By Senator Jespersen—An act to amend Section 9 of the California Water Storage District Act, relating to voting in California water storage districts.

Referred to Committee on Water Resources.

Senate Bill No. 1414: By Senators Jespersen, Judah, Quinn, O'Gara, Busch, Kraft, Watson, Tenney, Ward, McBride, and Weybret—An act to add Article 5, comprising Sections 5680 to 5777, inclusive, to Chapter 3 of Division 5 of the Public Resources Code, relating to regional shoreline park and recreational districts.

Referred to Committee on Natural Resources.

Senate Bill No. 1415: By Senators Jespersen, Judah, Quinn, O'Gara, Busch, Kraft, Watson, Tenney, Ward, McBride, and Weybret—An act making an appropriation to the Division of Beaches and Parks for the development of publicly owned beaches.

Referred to Committee on Natural Resources.

Senate Bill No. 1416: By Senators Rich, Breed, DeLap, Powers, and Swing—An act to repeal Chapter 1 of the Fifty-fifth (Second Extraordinary) Session, Chapter 49 of the Fifty-fifth (Fourth Extraordinary) Session, Chapters 32 and 1053 of the Fifty-sixth Session, and Chapter 139 of the Fifty-sixth (First Extraordinary) Session of the Legislature, relating to food and fiber production; and providing for the transfer of money to the General Fund and for the transfer of property to the Department of Finance.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1417: By Senators Breed and O'Gara—An act making an appropriation for surveys, plans, estimates, preliminary engineering and other preliminary expenses for a toll bridge or other toll highway crossing across the Bay of San Francisco from the City and County of San Francisco to the County of Alameda.

Referred to Committee on Transportation.

Senate Bill No. 1418: By Senator Keating—An act to amend Section 382 of the Vehicle Code, relating to duplicate registration cards and drivers licenses.

Referred to Committee on Transportation.

Senate Bill No. 1419: By Senator Keating—An act to amend Section 108 of the Vehicle Code, relating to the organization of the Department of Motor Vehicles.

Referred to Committee on Transportation.

Senate Bill No. 1420: By Senator Williams—An act to add Article 3 to Chapter 1 of Division 2 of the Fish and Game Code, relating to the protection of fish.

Referred to Committee on Fish and Game.

Senate Bill No. 1421: By Senator Williams—An act making an appropriation to the Fish and Game Commission for a game refuge in the southern part of San Joaquin Valley.

Referred to Committee on Fish and Game.

Senate Bill No. 1422: By Senator Jespersen—An act to amend Sections 314, 481, and 484 of the Vehicle Code, relating to motor vehicle accidents.

Referred to Committee on Transportation.

Senate Bill No. 1423: By Senator Hatfield—An act making an appropriation to the Regents of the University of California for establishing a School of Highway and Road Engineering.

Referred to Committee on Transportation.

Senate Bill No. 1424: By Senator Hatfield—An act to amend Section 1 of an act entitled "An act authorizing and directing the California Toll Bridge Authority to continue to fix and collect tolls on the bridge to be constructed across the Bay of San Francisco from the City and County of San Francisco to the County of Alameda under the provisions of the California Toll Bridge Authority Act, approved June 10, 1929, Chapter 763, Laws of 1929, and as amended, after all revenue bonds issued and sold by said authority for the acquisition and construction of said bridge have been redeemed and paid, for the purpose of reimbursing the State of California for moneys appropriated from the State Highway Construction Fund and used for the acquisition and construction of the approach highways leading to and upon said bridge at either end thereof; and also until all interest due and to become due on the sum of six hundred fifty thousand dollars (\$650,000) heretofore appropriated to the use of the California Toll Bridge Authority by Chapter 400, Laws of 1931, has been paid to the State of California; also providing for the manner in

which such reimbursement shall be made; and providing that this act become effective immediately," approved February 7, 1933, and Section 30607 of the Streets and Highways Code, relating to the repayment of state funds used for the acquisition and construction of approaches to the San Francisco Bay Bridge.

Referred to Committee on Transportation.

Senate Bill No. 1425: By Senator Sutton—An act to amend the title of, and to add Sections 4, 5, 6, 7, and 8 to, an act entitled "An act to provide for changing the boundaries of cities and municipal corporations, and to exclude uninhabited territory therefrom," approved June 11, 1913, relating to the exclusion of uninhabited and sparsely inhabited territory from municipal corporations of the sixth class.

Referred to Committee on Local Government.

Senate Bill No. 1426: By Senator Sutton—An act to add Section 97 to the Agricultural Code, relating to county fairs and the use of property thereof.

Referred to Committee on Local Government.

Senate Bill No. 1427: By Senator Sutton—An act making an appropriation for the construction and maintenance of a state armory in the City of Williams, County of Colusa.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 1428: By Senator Crittenden—An act to amend Section 6047 of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

Senate Bill No. 1429: By Senators Tenney and Desmond—An act to amend Section 2 of an act entitled "An act relating to the National Flag and the Flag of the State of California, and other flags," approved June 7, 1943, relating to display of National and State Flags.

Referred to Committee on Governmental Efficiency.

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules:

Senate Resolution No. 51

WHEREAS, The whole purpose of the legislative recess will have been defeated if pending legislation is not printed and distributed early in such recess; therefore, be it

Resolved, That the Secretary of the Senate be and he is hereby directed to do everything possible to secure the early printing and distribution of Histories and pending measures; and be it further

Resolved, That the State Printer be and he is hereby directed to spare no effort to complete the printing of pending measures and Histories in order that the same may be distributed to Members of the Legislature, libraries, the press, and the public generally as early in the legislative recess as is possible; and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to transmit a copy of this resolution to the State Printer.

Resolution read, and adopted.

By the Committee on Rules:

Senate Resolution No. 52

Resolved, That the Chief of the Bureau of Buildings and Grounds, he, and he is hereby directed to leave the Senate Chamber and all the committee rooms and other rooms used by the Senators and officers of the Senate in such condition that they will be available for use of the Senate at any time; and it is further directed that no persons other than the members, officers and attaches of the Senate be permitted to occupy or use the offices, committee rooms and other rooms now occupied by the Senate without permission as hereinafter provided, and that the desks, furniture, and other equipment of the Senate be at the disposal of the Secretary of the Senate pursuant to adjournment of this session until the Senate shall reconvene, and that no person except Members of the Senate be permitted to occupy any of the Senate's offices or make use of Senate equipment without permission of the Secretary; and be it further

Resolved, That the Secretary be and he is hereby made responsible for the safe-keeping of Senate property after adjournment of this session until the Senate shall reconvene again; and be it further

Resolved, That the Secretary be directed to deliver a copy of this resolution to the Chief of the Bureau of Buildings and Grounds Division and a copy to the Director of Finance.

Resolution read, and adopted.

By Senator Donnelly:

Senate Resolution No. 53

Relative to memorializing Congress to retain provision for furnishing hot lunches to school children

WHEREAS, The Federal Government has, by an appropriation to assist states in education, made possible the serving of hot lunches to school children; and

WHEREAS, Many children otherwise inadequately nourished have thus been improved in health; and

WHEREAS, It is desirable that hot lunches be available to all children of elementary school age at school; and

WHEREAS, The health of the children of the Nation is of vital importance to the future of the Nation, and the elimination of thousands of young men by selective service because of defects due to nutritional lacks should be a grave warning; now, therefore, be it

Resolved, by the Senate of the State of California, That the President and the Congress of the United States are hereby respectfully memorialized and urged to continue to furnish aid to the states which will permit the furnishing of hot lunches to school children; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the President of the United States, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and, on motion of Senator Donnelly, adopted.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 14

Assembly Concurrent Resolution No. 37

Assembly Joint Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolutions ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 419—An act to add Sections 29a and 29b to the California Water District Act, relating to California water districts and

the distribution of water in such districts, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 714—An act to authorize the Department of Finance to acquire surplus housing facilities from the United States of America or any of its agencies for resale to veterans, making an appropriation, and declaring that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 974—An act to add Section 3090 to the Labor Code, relating to occupational training, making an appropriation in augmentation of the appropriation in Item 138 of the Budget Act of 1945, for support of the Division of Apprenticeship Standards, Department of Industrial Relations, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 975—An act making an appropriation in augmentation of the appropriation in Item 231 of the Budget Act of 1945, for medical and physical care, hospitalization, appliances, and convalescent care for physically handicapped children, Department of Public Health, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 402—An act to make an appropriation for the cost of auditing and collecting unemployment relief restitutions, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 973—An act making an appropriation in augmentation of the appropriation in Item 79.5 of the Budget Act of 1945, for publishing, purchasing, and shipping free textbooks, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance:

Amendment No. 1

On page 1, lines 3 and 4, of said bill, strike out "one million, sixteen thousand, six hundred forty-eight dollars (\$1,016,648)", and insert "eight hundred ninety-six thousand nine hundred forty dollars (\$896,940)".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

Request for Unanimous Consent

Senator Jespersen asked for, and was granted, unanimous consent to have Assembly Bill No. 973 sent to print with a rush order.

Chief Assistant Secretary Cleve V. Taylor at the Desk

THIRD READING OF SENATE BILLS

Senate Bill No. 374—An act to amend Sections 105 and 106 of the Revenue and Taxation Code, relating to the definitions of improvements and personal property and, declaring the urgency thereof to take effect immediately.

Motion to Re-Refer Senate Bill No. 374

Senator DeLap moved that Senate Bill 374 be re-referred to Committee on Revenue and Taxation.

Motion carried.

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 11—Relative to the continuance of the Joint Committee on Preschool and Primary Training created by Resolutions Chapter No. 60 of the 1946 (First) Special Session.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 966—An act to amend Section 830 of the Agricultural Code, relating to the use of dates for by-products purposes, declaring the urgency of this act, to take effect immediately.

Bill read third time, and presented by Senator Dilworth.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Crittenden, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 372—An act authorizing the Attorney General to represent the Indians of this State before the Indian Claims Commission, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Brown.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 550—An act to amend Section 3411 of the Public Resources Code, relating to estimates for support of the Division of Oil and Gas, Department of Natural Resources, from the Petroleum and Gas Fund, declaring the urgency thereof to take effect immediately.

Bill read third time, and presented by Senator DeLap.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Quinn, Rich, Salsman, Sutton, Swing, Tenney, Watson, Weybret—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 626—An act to amend Section 2270 of the Health and Safety Code, relating to mosquito abatement districts, declaring the urgency thereof to take effect immediately.

Bill read third time, and presented by Senator Gordon.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 23—Relative to expenditures for capital outlay, State Division of Beaches and Parks.

Resolution read, and presented by Senator Watson.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 374—An act making appropriation to the Attorney General for appearing as counsel for the Indians of the State of California before the Indian Claims Commission, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Brown.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 374:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 21, 1947

To the Honorable Members of the Senate

Sacramento, California

GENTLEMEN:

Assembly Bill No. 374—"An act making appropriation to the Attorney General for appearing as counsel for the Indians of the State of California before the Indian Claims Commission, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Sections 1 and 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 374 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 3—Relative to memorializing Congress to erect a monument to the Unknown Sailor.

Resolution read, and presented by Senator Keating.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 17—Relative to federal payments for disabled veterans in veterans homes.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 19—Relative to requesting President Harry S. Truman to appoint a resident of California to the United States Maritime Commission.

Resolution read, and presented by Senator Breed.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 16—Relative to the procurement of federal surplus property for the Veterans' Home of California.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 31—Relative to the continuance of the Joint Committee on the Housing Emergency.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senator Salsman Presiding

At 10.45 a.m., Senator Byrl R. Salsman of the Eighteenth District, presiding.

Assembly Bill No. 747—An act to add Section 2042 to the Penal Code, relating to escapes from the California Vocational Institution, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Deuel.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Quinn, Rich, Salsman, Slater, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Quinn, Rich, Salsman, Slater, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 10.55 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding:

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Powers:

Resolved, That Assembly Bills Nos. 419, 714, 974, 975, 402, and 973 present cases of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bills be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the third time, and placed upon their passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILLS NOS. 419, 714, 974, 975, 402, AND 973

Assembly Bill No. 419—An act to make an appropriation for the cost of auditing and collecting unemployment relief restitutions, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen,

Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Rich, Slater, Sutton, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Powers, Rich, Slater, Sutton, Tenney, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 714—An act to authorize the Department of Finance to acquire surplus housing facilities from the United States of America or any of its agencies for resale to veterans, making an appropriation, and declaring that this act shall take effect immediately.

Bill read third time, and presented by Senator DeLap.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 714:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 24, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN :

Assembly Bill No. 714—"An act to authorize the Department of Finance to acquire surplus housing facilities from the United States of America or any of its agencies for resale to veterans, making an appropriation, and declaring that this act shall take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 714 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Kraft, Mayo, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, and Watson—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 974—An act to add Section 3090 to the Labor Code, relating to occupational training, making an appropriation in augmentation of the appropriation in Item 138 of the Budget Act of 1945,

for support of the Division of Apprenticeship Standards, Department of Industrial Relations, to take effect immediately.

Bill read third time, and presented by Senator Rich.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 974:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 28, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 974—"An act to add Section 3090 to the Labor Code, relating to occupational training, making an appropriation in augmentation of the appropriation in Item 138 of the Budget Act of 1945, for support of the Division of Apprenticeship Standards, Department of Industrial Relations, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 974 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 975—An act making an appropriation in augmentation of the appropriation in Item 231 of the Budget Act of 1945, for medical and physical care, hospitalization, appliances, and convalescent care for physically handicapped children, Department of Public Health, to take effect immediately.

Bill read third time, and presented by Senator Rich.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 975:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 28, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 975—"An act making an appropriation in augmentation of the appropriation in Item 231 of the Budget Act of 1945, for medical and physical care, hospitalization, appliances, and convalescent care for physically handicapped children, Department of Public Health, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 975 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 402—An act to make an appropriation for the cost of auditing and collecting unemployment relief restitutions, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 402:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 24, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 402—"An act to make an appropriation for the cost of auditing and collecting unemployment relief restitutions, to take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 402 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO PRINT REPORT

Senator Carter moved that 2,000 copies of the Report of the Forestry Study Committee entitled "The Forest Situation in California" as it appears in the Senate Journal of 1945, be printed for distribution.

Motion carried.

MOTION TO PRINT REPORT

Senator Hulse moved that 4,000 additional copies of the Interim Committee report on State and Local Taxation be printed in 10-point type.

Motion carried.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 43

Assembly Concurrent Resolution No. 45

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 43—Relative to Marc A. Mitscher, Admiral, United States Navy.

Request for Unanimous Consent

Senator Kraft asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 43, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 43

Assembly Concurrent Resolution No. 43—Relative to Marc A. Mitscher, Admiral, United States Navy.

Resolution read, and adopted by a rising vote of the following Senators:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—37.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 45—Relative to approving an amendment to the charter of the County of Tehama, State of California, voted for and ratified by the qualified electors of said county at the general election held on the fifth day of November, 1946.

Request for Unanimous Consent

Senator Sutton asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 45, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 45

Assembly Concurrent Resolution No. 45—Relative to approving an amendment to the charter of the County of Tehama, State of California, voted for and ratified by the qualified electors of said county at the general election held on the fifth day of November, 1946.

Resolution read, and presented by Senator Mayo.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Gordon, Hulse, Jespersen, Judah, Kraft,

Mayo, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senator Breed Presiding

At 11.30 a.m., Senator Arthur H. Breed Jr. of the Sixteenth District, presiding.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 22

Assembly Joint Resolution No. 26

ARTHUR A. OIINIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

Assembly Joint Resolution No. 26—Relative to migratory wild fowl.

Referred to Committee on Fish and Game.

Assembly Joint Resolution No. 22—Relating to the Colorado River.

Request for Unanimous Consent

Senator Hulse asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 22, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 22

Assembly Joint Resolution No. 22—Relating to the Colorado River.

Resolution read, and presented by Senator Hulse.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 973—An act making an appropriation in augmentation of the appropriation in Item 79.5 of the Budget Act of 1945, for publishing, purchasing, and shipping free textbooks, to take effect immediately.

Bill read third time, and presented by Senator Jespersen.

Motion to Amend

Senator Tenney moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on February 5, 1947, after "Education", insert "; provided, however, that no part of this appropriation may be expended for the purchase of any textbook or supplement thereto which

is in any way a part of the "Building America Series" or a duplication thereof whether known by that name or any other name".

Amendment read.

Motion to Set Special Order

Senator Desmond moved that Assembly Bill No. 973 be made a special order of business for this afternoon, February 5, 1947.

Motion lost.

**Further Consideration of the Amendment Offered by Senator Tenney
to Assembly Bill No. 973**

Roll Call Demanded

Senators Jespersen, Crittenden, and Gordon demanded a roll call.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Slater, Sutton, Tenney, Watson, Weybret, and Williams—28.

NOES—Senators Carter, Cunnigham, DeLap, Deuel, Dillinger, Jespersen, O'Gara, and Salsman—8.

Further Amendments to Assembly Bill No. 973

Motion to Amend

Senator Quinn moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on February 5, 1947, strike out "eight hundred".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "ninety-six thousand nine hundred forty dollars (\$896,940)", and insert "six hundred three thousand six hundred dollars (\$603,600)".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Request for Unanimous Consent

Senator Jespersen asked for, and was granted, unanimous consent, to have Assembly Bill No. 973 sent to print with a rush order.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 2264

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

Assembly Bill No. 2264—An act to amend Section 4 of an act entitled "An act to authorize the Department of Finance to acquire surplus property from the United States for the purpose of furnishing housing facilities for veterans attending universities and colleges and making an appropriation," relating to the administering of such housing facilities, declaring the urgency thereof, and providing that this act is to take effect immediately.

Request for Unanimous Consent

Senator DeLap asked for, and was granted, unanimous consent to take up Assembly Bill No. 2264, at this time, for consideration.

CONSIDERATION OF ASSEMBLY BILL NO. 2264**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator DeLap:

Resolved, That Assembly Bill No. 2264 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provisions of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 2264—An act to amend Section 4 of an act entitled "An act to authorize the Department of Finance to acquire surplus property from the United States for the purpose of furnishing housing facilities for veterans attending universities and colleges and making an appropriation," relating to the administering of such housing facilities, declaring the urgency thereof, and providing that this act is to take effect immediately.

Bill read second time.

Assembly Bill No. 2264—An act to amend Section 4 of an act entitled "An act to authorize the Department of Finance to acquire surplus property from the United States for the purpose of furnishing housing facilities for veterans attending universities and colleges and making an appropriation," relating to the administering of such housing facilities, declaring the urgency thereof, and providing that this act is to take effect immediately.

Bill read third time, and presented by Senator DeLap.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 27

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By HAROLD LEWRIGHT, First Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 27—Relative to the colors and standards of the 13th Armored Division.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Senator Weybret asked for, and was granted, unanimous consent to have the following Final Report of the Joint Centennial and World's Fair Committee printed in the Journal in 10-point type:

**FINAL REPORT OF THE JOINT CENTENNIAL AND
WORLD'S FAIR COMMITTEE**

To the Members of the Senate and Assembly,

GENTLEMEN: Your committee created by Senate Concurrent Resolution No. 19, relative to providing for a full year, state-wide celebration in 1950 commemorating California's admission to the Union, begs leave to report as follows:

Your committee in cooperation with members of an advisory committee as set forth in Senate Concurrent Resolution No. 19 has held several meetings throughout the State in conjunction with a Centennial Committee of the State Chamber of Commerce and has come to the conclusion that a commission to be appointed by the Governor should be created with proper financial assistance and safeguards to plan and prepare for certain centennial events in 1948, 1949, and 1950, as set forth in Senate Bill No. 610, which seeks to create said commission.

Your legislative committee and advisory committee after conferences with the Governor feel that only events commemorating the centennial anniversaries of the discovery of gold, the gold rush, the adoption of the first Constitution, and the admission of California to the Union be celebrated. We have therefore designated these certain events that should be definitely commemorated in Senate Bill No. 610.

We believe that the State of California should sponsor these events and recommend the full support of the Members of the Legislature.

Respectfully submitted.

FRED WEYBRET, Chairman
Joint Centennial and World's Fair Committee
RALPH C. DILLS, Secretary

THOMAS J. DOYLE
DWIGHT H. STEPHENSON
ALBERT C. WOLLENBERG

EARL D. DESMOND
ARTHUR H. BREED, JR.
H. E. DILLINGER

RESOLUTIONS

The following resolution was offered:
By the Committee on Rules:

Senate Resolution No. 54

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate in the sum of twenty-seven dollars (\$27) in favor of the Sacramento Convention Bureau in payment for music supplied the Legislature at the inaugural ceremonies on January 6, 1947, as provided by Senate Concurrent Resolution No. 1 of the Fifty-seventh General Session, and the Treasurer is directed to pay the same.

DEUEL
SALSMAN

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Powers, Salsman, Slater, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 17—Relative to amending No. 13 of the Joint Rules of the Legislature, relating to legislative publications;
And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fourth day of February, 1947, at 5 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, February 4, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 56—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately;

Senate Bill No. 191—An act to amend Section 963 of the Agricultural Code, relating to seed potato test plats, declaring the urgency of this act, to take effect immediately;

Senate Bill No. 565—An act making an appropriation in augmentation of the appropriation in Item 9 of the Budget Act of 1943, for legislative printing, binding, etc., for the Fifty-sixth Session, to take effect immediately;

Senate Bill No. 595—An act to add Section 204.5 to the Agricultural Code, relating to infectious and contagious diseases of livestock and poultry, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of February, 1947, at 5 p.m.

POWERS, Chairman

WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 1777

Senator DeLap moved that Assembly Bill No. 1777 be withdrawn from Committee on Military and Veterans Affairs, for purpose of consideration.

Motion carried.

RECESS

At 12.35 p.m., on motion of Senator Powers, the Senate recessed until 3.10 p.m.

REASSEMBLED

At 3.10 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 46

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 46—Relative to joint legislative committees.

Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 46, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 46

Assembly Concurrent Resolution No. 46—Relative to joint legislative committees.

Resolution read, and presented by Senator Powers.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 714

Assembly Bill No. 611

Assembly Joint Resolution No. 19

Assembly Concurrent Resolution No. 40

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 25

Senate Concurrent Resolution No. 24

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above resolutions ordered enrolled.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 973

Assembly Bill No. 973—An act making an appropriation in augmentation of the appropriation in Item 79.5 of the Budget Act of 1945, for publishing, purchasing, and shipping free textbooks, to take effect immediately.

Bill read third time, and presented by Senator Jespersen.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 973:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 28, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 973—"An act making an appropriation in augmentation of the appropriation in Item 79.5 of the Budget Act of 1945, for publishing, purchasing, and shipping free textbooks, Department of Education, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 973 as necessary for the immediate preservation of the public peace, health or safety and as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Motion to Print Petition in Journal

Senator Tenney moved that a petition relating to Assembly Bill No. 973 be printed in the Journal.

Motion to Table

Senator Hatfield moved that the motion by Senator Tenney regarding the petition be laid on the table.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT

Senator DeLap asked for, and was granted, unanimous consent to take up Assembly Bill No. 1777, at this time, for consideration.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1777—An act to add Section 4.5 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to temporary and emergency housing for veterans, and authorizing a local agency to utilize the facilities and experience of another local agency, in providing housing pursuant to said act, to enter into agency or other appropriate agreements therefor, to validate such agreements between local agencies, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Senator DeLap:

Resolved, That Assembly Bill No. 1777 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 1777

Assembly Bill No. 1777—An act to add Section 4.5 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to temporary and emergency housing for veterans, and authorizing a local agency to utilize the facilities and experience of another local agency, in providing housing pursuant to said act, to enter into agency or other appropriate agreements therefor, to validate such agreements between local agencies, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator DeLap.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

REQUEST FOR UNANIMOUS CONSENT

Senator Kraft asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 20, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 20

Assembly Joint Resolution No. 20—Relating to the Surplus Property Disposal Act of 1944, and rights of states and their political subdivisions to acquire surplus property.

Resolution read, and presented by Senator Kraft.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

Assembly Bill No. 973—An act making an appropriation in augmentation of the appropriation in Item 79.5 of the Budget Act of 1945, for publishing, purchasing, and shipping free textbooks, to take effect immediately;

And appointed Messrs. Wollenberg, Lowrey, and Ralph C. Dills as a Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By **CARROLL PARISH**, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to:

Assembly Bill No. 747—An act to add Section 2042 to the Penal Code, relating to escapes from the California Vocational Institution, and declaring the urgency thereof, to take effect immediately;

And appointed Messrs. Geddes, Carey, and George D. Collins as a Committee on Conference to meet a like committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By **CARROLL PARISH**, Assistant Clerk

APPOINTMENT OF COMMITTEE ON CONFERENCE

MR. PRESIDENT: The Committee on Rules announces the appointment of Senators Jespersen, Tenney, and DeLap as a Senate Committee on Conference concerning Assembly Bill No. 973 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES
POWERS, Chairman

APPOINTMENT OF COMMITTEE ON CONFERENCE

MR. PRESIDENT: The Committee on Rules announces the appointment of Senators Deuel, Gordon, and Carter as a Senate Committee on Conference concerning Assembly Bill No. 747 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES
POWERS, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Keating asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 14, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 14

Assembly Concurrent Resolution No. 14—Relating to the establishment of a state park on Angel Island in San Francisco Bay.

Resolution read, and presented by Senator Keating.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, DeLap, Desmond, Deuel, Dilworth, Gordon, Hatfield, Hulse, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Sutton, Tenney, Watson, and Weybret—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: The Committee on Rules has this day appointed Senators Keating and O'Gara as Members from the Senate to serve on the Angel Island State Park Joint Investigating Committee under the terms of Assembly Concurrent Resolution No. 14.

POWERS, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 37, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 37

Assembly Concurrent Resolution No. 37—Relative to filing with the Legislative Auditor surveys prepared by administrative analysts in the Department of Finance and by the Division of Audits of said department for study by Members of the Legislature.

Resolution read, and presented by Senator Hatfield.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Hatfield, Hulse, Jespersen, Judah, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senator O'Gara Presiding

At 4.45 p.m., Senator Gerald J. O'Gara of the Fourteenth District, presiding.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

SENATE CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: The Committee on Conference concerning:

Assembly Bill No. 973—An act making an appropriation in augmentation of the appropriation in Item 79.5 of the Budget Act of 1945, for publishing, purchasing, and shipping free textbooks, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill, as amended the second time on February 5, 1947, be further amended as follows:

Amendment No. 1

On page 1, lines 3 and 4, strike out "six hundred three thousand six hundred dollars (\$603,600)", and insert "seven hundred twenty-three thousand three hundred and eight dollars (\$723,308)".

JESPERSEN

DELAP

TENNEY

Senate Committee on Conference

WOLLENBERG

LOWREY

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Watson, and Williams—24.
NOES—None.

RESOLUTIONS

The following resolution was offered:

By Senators Keating and Slater:

Senate Resolution No. 55

WHEREAS, The Hon. Eugene W. Smith of San Rafael took office as city clerk of the said city on April 27, 1903 and has held the said office continuously since that time, and has, in addition, since 1915 held the combined offices of city clerk and assessor of the said City of San Rafael; and

WHEREAS, The said Eugene W. Smith has performed the duties of said offices with such honor and distinction that he has been reelected by the people of his city for longer than any other living city official in the State of California, within the knowledge of the Senate, and is about to complete his forty-fourth year in said offices; and

WHEREAS, The said Eugene W. Smith on January 3, 1897, in the said City of San Rafael joined in marriage with Anna Josephine De Metz; and

WHEREAS, These two native Californians have lived happily together since that time in their said present home city and have reared their family of children there, meanwhile retaining their perennial youthful outlook, and have recently celebrated their Golden Wedding Anniversary by receiving the heartfelt congratulations of their fellow townspeople, young and old; now, therefore, be it

Resolved, That the Senate of California does hereby extend its congratulations to Mr. and Mrs. Eugene W. Smith of San Rafael upon their long and exemplary married life and the long and distinguished and honorable career in public office of the said Eugene W. Smith, and be it further

Resolved, That the Secretary of the Senate is directed to transmit suitably prepared copies of this resolution to Mr. and Mrs. Eugene W. Smith.

Resolution read, and, on motion of Senator Keating, adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 1430: By Senator Busch—An act to add Section 130 to the Penal Code, relating to false testimony and false affidavits.

Referred to Committee on Judiciary.

Senate Bill No. 1431: By Senator Tenney—An act to add Section 6.1 to the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1432: By Senator Swing—An act to amend Section 331 of the Penal Code, relating to gambling.

Referred to Committee on Judiciary.

Senate Bill No. 1433: By Senator Ward—An act to repeal Section 6903 of the Labor Code, relating to train crews.

Referred to Committee on Labor.

Senate Bill No. 1434: By Senator McBride—An act to add Sections 80 to 83, inclusive, and Sections 90 to 94, inclusive, to, and to repeal Section 100 of, the Streets and Highways Code, relating to public highways and the responsibilities and duties of the California Highway Commission and the Department of Public Works in connection therewith.

Referred to Committee on Transportation.

Senate Bill No. 1435: By Senator McBride—An act to amend Section 4248 of the Political Code, relating to compensation for public services.

Referred to Committee on Local Government.

Senate Bill No. 1436: By Senator McBride—An act to amend Section 737ddd of the Political Code, relating to superior judges salaries.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1437: By Senator McBride—An act to add Section 8.5 to the Ventura County Flood Control Act, relating to duties and compensation of the County Clerk of Ventura County as Clerk of the Ventura County Flood Control District.

Referred to Committee on Local Government.

Senate Bill No. 1438: By Senators McBride and Parkman—An act to add Section 38f.1 to the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1439: By Senator McBride—An act to amend Section 1 of "An act authorizing and empowering any county, city and county, or city in the State of California to donate, convey, and grant to the State of California, or to district agricultural associations thereof, any real property owned, held and used by it for fair ground and exposition purposes, or which it may hereafter acquire, hold and use for such purposes," approved July 11, 1935, relating to powers of counties, cities and counties, and cities.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1440: By Senator McBride—An act to amend Section 451 of the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1441: By Senator McBride—An act to amend Sections 202, 203, and 206 of, to add Sections 57.3 and 207.5 to, and to repeal Sections 204 and 205 of, the Unemployment Insurance Act, relating to unemployment insurance and unemployment compensation disability insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1442: By Senator McBride—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1443: By Senator McBride—An act to amend Section 451 of, and to add Section 460.5 to, the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Social Welfare.

Senate Bill No. 1444: By Senator McBride—An act to add Section 7104 to the Revenue and Taxation Code, relating to the Retail Sales Tax Fund, and making an appropriation therefrom.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1445: By Senator McBride—An act to amend Sections 1, 2, 3, 5, and 6 of the Judges' Retirement Act, to amend and renumber Section 1.5 thereof to be Section 1.2, to add Sections 1.1, 1.3, 1.4, and 1.5 thereto, and to repeal and add Section 4 thereof, and to add Section 1.5 to the Judges' Retirement Fund Act, and amend Sections 2, 3, 4, and 4.5 thereof, relating to retirement, with retirement allowances, of judges and justices, and to contributions to the Judges' Retirement Fund to provide such retirement allowances.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1446: By Senator McBride—An act to add Part 10 to Division 3 of Title 2 of the Government Code, relating to a commission to administer the law relating to county and district agricultural association fairs.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1447: By Senator Dillinger—An act to add Part 14 comprising Sections 26301 to 26501, inclusive, to Division 2 of the Revenue and Taxation Code, relating to the levy of a state tax on parimutuel wagers.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1448: By Senators Dillinger and Jespersen—An act to add Article 6.5, comprising Sections 9471 to 9473, inclusive, to Chapter 8 of Division 4 of the Education Code, relating to capital outlays for resident schools.

Referred to Committee on Education.

Senate Bill No. 1449: By Senator Dillinger—An act to add Section 61.3 to the Alcoholic Beverage Control Act, relating to intoxicating liquors.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1450: By Senator Dillinger—An act to amend Section 332 of the Vehicle Code, relating to operators' and chauffeurs' licenses and the driving of vehicles.

Referred to Committee on Transportation.

Senate Bill No. 1451: By Senator Salsman—An act relating to aviation; defining terms, providing for the acquisition, establishment, construction, enlargement, improvement, maintenance, equipment, operation and regulation of airports, other air navigation facilities and airport protection privileges by political subdivisions and providing the right of condemnation for such purposes; declaring the ownership and operation of airports, other air navigation facilities and airport protection privileges to be for public governmental purposes; providing for the issuance of bonds and for the levying of taxes for airport purposes;

validating prior bond issues, indebtedness and contracts; granting specific powers; permitting the acceptance of federal aid; authorizing joint action by political subdivisions and by political subdivisions and the State; providing for the appointment of joint boards or commissions, and granting to political subdivisions or political subdivisions and the State, acting jointly, the powers granted a single political subdivision; providing for assistance to other political subdivisions, and to make uniform the law with reference to public airports.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1452: By Senator Collier—An act to amend Sections 314 and 315 of the Vehicle Code, relating to the cancellation, suspension, and revocation of operator's and chauffeur's licenses.

Referred to Committee on Transportation.

Senate Bill No. 1453: By Senators Donnelly, Quinn, Slater, Hatfield, Sutton, and Crittenden—An act making an appropriation for the purpose of enforcing the provisions of the alien land laws and investigating evasions and violations thereof and instituting and carrying on escheat proceedings thereunder.

Referred to Committee on Judiciary.

Senate Bill No. 1454: By Senator Tenney—An act to amend Section 451 of the Revenue and Taxation Code, relating to inspection of taxpayers' statements.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1455: By Senators Jespersen, Hulse, and Dilworth—An act to amend Section 20654 of the Education Code, to authorize the purchase of land by the California Polytechnic School.

Referred to Committee on Education.

Senate Bill No. 1456: By Senator Swing—An act to add Section 254.2 to the Revenue and Taxation, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1457: By Senator Crittenden—An act to make an appropriation to the California Polytechnic School for the production of herbs and plants for applied research in the production of resins, gums, and oils for medicinal and other purposes.

Referred to Committee on Agriculture.

Senate Bill No. 1458: By Senator Carter—An act making an appropriation to pay the claim of Edwin J. Regan against the State of California.

Referred to Committee on Finance.

Senate Bill No. 1459: By Senators Hulse, Ward, Parkman, Powers, and Burns—An act making an appropriation to safeguard governmental services in periods of economic adjustment, and providing the procedure for making these allocations.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1460: By Senators Hulse, Ward, Parkman, Powers, and Burns—An act to add Section 110.5 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1461: By Senators Hulse, Ward, Parkman, Powers, and Burns—An act relating to the taxation of mineral or oil rights in and to lands, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1462: By Senator Carter—An act to add Section 13118 to the Health and Safety Code, relating to containers storing inflammable materials.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1463: By Senator Carter—An act to add Section 13117 to the Health and Safety Code, relating to use of inflammable materials in places of public assemblage.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1464: By Senator Jespersen—An act to add Section 3.1 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to temporary and emergency housing for veterans, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 1465: By Senator Busch—An act to amend Section 18021 of the Government Code and to repeal Section 18022 of the Government Code, relating to hours of work.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1466: By Senator O'Gara—An act to amend Section 1 and to add Section 6 to an act entitled "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a system of group life, health and accident insurance and health services for the benefit of officers and employees and to deduct from the compensation thereof the premiums upon such insurance," approved May 25, 1939, relating to group insurance of public employees.

Referred to Committee on Local Government.

Senate Bill No. 1467: By Senators O'Gara and Tenney—An act to provide for the construction of housing by the State of California and for making such housing available to veterans and others.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 1468: By Senator Parkman—An act to add Section 928.5 to the Penal Code, relating to powers of grand juries.

Referred to Committee on Judiciary.

Senate Bill No. 1469: By Senator Salsman—An act to provide for the licensing and regulation of health insurance and service plans.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1470: By Senator Salsman—An act to add Chapter 5, comprising Sections 28200 to 28325, inclusive, to Division 21 of the Health and Safety Code, relating to restaurants as herein defined.

Referred to Committee on Public Health and Safety.

Senate Bill No. 1471: By Senator Busch—An act to add Section 647 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

Senate Bill No. 1472: By Senator Busch—An act to add Section 647.5 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

Senate Bill No. 1473: By Senators Quinn and Busch—An act making an appropriation to the emergency fund specified in Item ----- of the Budget Act of 1947, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.

Referred to Committee on Water Resources.

Senate Bill No. 1474: By Senators Quinn and Dilworth—An act to amend Section 1260 of the Military and Veterans Code, relating to definitions.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 1475: By Senators Quinn, DeLap, and Dilworth—An act to add Section 7032 to the Business and Professions Code, relating to contractors.

Referred to Committee on Business and Professions.

Senate Bill No. 1476: By Senators Quinn, DeLap, and Dilworth—An act to add Division 8 to the Military and Veterans Code, relating to veterans' welfare.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 1477: By Senators Quinn and Dilworth—An act to amend Sections 128, 143, 145, 146, 147, 167, 168, 170, 255, 340, 360, 361, 366, 421, 422 of the Military and Veterans Code, relating to the addition of the unorganized militia when called into the service of the State and its employment in the same situations as the National Guard when necessary, the description of circumstances in which the military forces may be employed, the creation of an offense for violation of a military proclamation, the change in name of the office of the Adjutant General, the wearing of a military uniform, the equipment of the unorganized militia when called into the service of the State and the extension of compensation benefits to such militia when so employed, the wrongful disposition of military property, a system of discipline for

the unorganized militia when called into the service of the State, and the employment of the unorganized militia when called into the service of the State.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 1478: By Senators Quinn and Dilworth—An act to make an appropriation to the Veterans' Welfare Board for the purpose of carrying into effect the provisions of the "Veterans' Farm and Home Purchase Act of 1943."

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 1479: By Senator Quinn—An act to repeal Section 5 of an act entitled "An act directing the Department of Public Works to construct the approaches to a toll bridge to be built across the Bay of San Francisco from the City and County of San Francisco to the County of Alameda; declaring such toll bridge and approaches to be a state highway; requiring their maintenance and operation by the Department of Public Works; and prescribing the manner in which the cost thereof shall be paid; and providing that this act become effective immediately," approved January 26, 1933, and Section 30606 of the Streets and Highways Code, relating to the operation and maintenance of the San Francisco-Oakland Bay Bridge.

Referred to Committee on Transportation.

Senate Bill No. 1480: By Senator Tenney—An act to add Section 12154 to the Government Code, relating to the Secretary of State, and making an appropriation.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1481: By Senator Desmond—An act regulating the premises and the operations of plants for the storage of frozen food in individual lockers.

Referred to Committee on Agriculture.

Senate Bill No. 1482: By Senator Desmond—An act to add Section 19564 to the Business and Professions Code, relating to the sale of alcoholic beverages at any place, track or enclosure where horse racing meetings are held.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1483: By Senator Desmond—An act to add Article 4 to Chapter 9 of Part 1 of Division VI of the Health and Safety Code, relating to the annexation to sanitary districts of territory that is not contiguous.

Referred to Committee on Local Government.

Senate Bill No. 1484: By Senator Desmond—An act to amend Section 11e of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Referred to Committee on Local Government.

Senate Bill No. 1485: By Senator Desmond—An act to amend Section 117 of the Labor Code, relating to offices and rooms for the Industrial Accident Commission.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1486: By Senators Desmond, Burns, and Swing—An act to amend Section 10 of the Public Utilities Act, relating to salaries and compensation of commissioners, officers and employees of the Public Utilities Commission of the State of California (formerly Railroad Commission of the State of California).

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1487: By Senator Collier—An act to amend Section 576 of the Motor Vehicle Code, relating to railway grade crossings.

Referred to Committee on Transportation.

Senate Bill No. 1488: By Senator Carter—An act to amend Section 542 of the Code of Civil Procedure, relating to attachment of personal property in respect to the deposit of expenses of taking and safe-keeping.

Referred to Committee on Judiciary.

Senate Bill No. 1489: By Senator O'Gara—An act making an appropriation for construction and improvements at San Francisco State College.

Referred to Committee on Education.

Senate Bill No. 1490: By Senator O'Gara—An act making an appropriation to the Department of Education for the acquisition of real property for the San Francisco State College.

Referred to Committee on Education.

Senate Bill No. 1491: By Senator Jespersen—An act to amend Sections 16000, 16003, and 16100 of the Business and Professions Code, relating to city and county license fees.

Referred to Committee on Local Government.

Senate Bill No. 1492: By Senator Rich—An act to amend Section 1126 and to add Sections 1127, 1128, and 1129 to the Labor Code, relating to collective bargaining agreements and prohibiting attempts to cause or induce violations thereof.

Referred to Committee on Labor.

Senate Bill No. 1493: By Senator Rich—An act to add Chapter 7, comprising Sections 1115, 1116, and 1117, to Part 3, Division 2 of the Labor Code, relating to jurisdictional strikes.

Referred to Committee on Labor.

Senate Bill No. 1494: By Senator Kraft—An act to add Chapter 9 to Part 2 of Division 1 of the Insurance Code, relating to claims adjusters and providing for their regulations.

Referred to Committee on Financial Institutions.

Senate Bill No. 1495: By Senator Collier—An act to amend Section 2107 of the Streets and Highways Code, relating to the Highway Users Tax Fund.

Referred to Committee on Transportation.

Senate Bill No. 1496: By Senator Collier—An act to amend Sections 2105 and 2106 of the Streets and Highways Code, relating to the Highway Users Tax Fund.

Referred to Committee on Transportation.

Senate Bill No. 1497: By Senator Collier—An act to amend Section 2104 of the Streets and Highways Code, relating to the Highway Users Tax Fund.

Referred to Committee on Transportation.

Senate Bill No. 1498: By Senator Collier—An act to amend Section 2054 of the Streets and Highways Code, relating to the major city street system.

Referred to Committee on Transportation.

Senate Bill No. 1499: By Senator Collier—An act to amend Section 2005 of the Streets and Highways Code, relating to the county primary road system.

Referred to Committee on Transportation.

Senate Bill No. 1500: By Senator Collier—An act to amend Section 29 of the Streets and Highways Code, relating to definitions.

Referred to Committee on Transportation.

Senate Bill No. 1501: By Senator Collier—An act to amend Section 290 of the Streets and Highways Code, relating to expenditure of funds on expressways.

Referred to Committee on Transportation.

Senate Bill No. 1502: By Senator Collier—An act to amend Sections 250 and 256 of the Streets and Highways Code, relating to the expressway system of state highways.

Referred to Committee on Transportation.

Senate Bill No. 1503: By Senator Collier—An act to amend Section 2113 of the Streets and Highways Code, relating to the Highway Users Tax Fund.

Referred to Committee on Transportation.

Senate Bill No. 1504: By Senator Collier—An act to amend Sections 2108 and 2109 of the Streets and Highways Code, relating to the Highway Users Tax Fund.

Referred to Committee on Transportation.

Senate Bill No. 1505: By Senator Collier—An act to amend Section 74 of the Streets and Highways Code, relating to petitions to the California Highway Commission.

Referred to Committee on Transportation.

Senate Bill No. 1506: By Senator Collier—An act to amend Section 188 of the Streets and Highways Code, relating to allocation of state highway construction moneys.

Referred to Committee on Transportation.

Senate Bill No. 1507: By Senator Collier—An act to amend Section 292 of the Streets and Highways Code, relating to expressways.

Referred to Committee on Transportation.

Senate Bill No. 1508: By Senator Jespersen—An act making an appropriation in augmentation of the appropriation in Item 79.5 of the Budget Act of 1945 for publishing, purchasing, and shipping free textbooks, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 1509: By Senator O'Gara—An act to provide for housing, to aid and encourage the construction of housing by private enterprise, and for that purpose establishing a system of state guarantees of a minimum rate of return to builders of, and investors in, housing constructed in conformity with this act.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1510: By Senators Hatfield and DeLap—An act to amend Section 13101 of the Health and Safety Code, relating to the salaries of public officers.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1511: By Senator Desmond—An act to add Section 18104 to the Government Code, relating to sick leave.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1512: By Senator Quinn—An act to amend Sections 4421, 4424, and 4433 of the Public Resources Code, relating to reforestation of forest lands.

Referred to Committee on Natural Resources.

Senate Bill No. 1513: By Senator Breed—An act making an appropriation to the Department of Agriculture for construction of a pavilion in Alameda County.

Referred to Committee on Agriculture.

Senate Bill No. 1514: By Senator Breed—An act to amend Section 11509 of the Business and Professions Code, relating to real estate subdivisions.

Referred to Committee on Business and Professions.

Senate Bill No. 1515: By Senator Breed—An act to add Section 6356.5 to the Revenue and Taxation Code, relating to the exemption from the sales and use taxes of property purchased for use or consumption outside the United States aboard vessels.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1516: By Senator Dillinger—An act to amend Section 737i of the Political Code, relating to superior judges salaries.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1517: By Senator Swing—An act to amend an act entitled "An act relating to salaries and compensation of state officers and state employees, and making an appropriation, declaring the urgency thereof, to take effect immediately," approved July 14, 1945.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1518: By Senator Dillinger—An act to amend Section 4277 of the Political Code, relating to compensation for public service.

Referred to Committee on Local Government.

Senate Bill No. 1519: By Senator Dillinger—An act to amend Section 4271 of the Political Code, relating to compensation for public service.

Referred to Committee on Local Government.

Senate Bill No. 1520: By Senator Dillinger—An act to amend Section 4287 of the Political Code, relating to compensation for public service.

Referred to Committee on Local Government.

Senate Bill No. 1521: By Senator Dillinger—An act to amend Section 737b of the Political Code, relating to superior judges salaries.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1522: By Senator Dillinger—An act to amend Section 737c of the Political Code, relating to superior judges salaries.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1523: By Senator Keating—An act to add Section 5082.1 to the Business and Professions Code, relating to registration as a public accountant.

Referred to Committee on Business and Professions.

Senate Bill No. 1524: By Senator McCormack—An act to amend Section 10452 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Transportation.

Senate Bill No. 1525: By Senator McCormack—An act to amend Section 8651 of the Revenue and Taxation Code, relating to the use fuel tax.

Referred to Committee on Transportation.

Senate Bill No. 1526: By Senator McCormack—An act to amend Sections 7351 and 8353 of the Revenue and Taxation Code, relating to motor vehicle license tax.

Referred to Committee on Transportation.

Senate Bill No. 1527: By Senator McCormack—An act to amend Sections 580 to 590, inclusive, to the Streets and Highways Code, relating to the addition to the State Highway System of certain routes to be constructed as freeways or expressways.

Referred to Committee on Transportation.

Senate Bill No. 1528: By Senator Desmond—An act to add Section 18939 to the Government Code, relating to civil service examinations and declaring the urgency thereof to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1529: By Senator Powers—An act to amend Section 731a of the Code of Civil Procedure, relating to the use of the injunction against airports.

Referred to Committee on Judiciary.

Senate Bill No. 1530: By Senator Burns—An act to amend Section 19562 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1531: By Senator Burns—An act to amend Sections 19422 and 19424 of the Business and Professions Code, relating to members of the California Horse Racing Board.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1532: By Senator Burns—An act to add Section 19561.5 to the Business and Professions Code, relating to horse racing meetings.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1533: By Senator McBride—An act to amend Section 337f of the Penal Code of the State of California, relating to the use of narcotic or electrical device on race horse.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1534: By Senator Dilworth—An act to amend Section 370 of the Vehicle Code, relating to fees for registration of motor vehicles.

Referred to Committee on Transportation.

Senate Bill No. 1535: By Senator Sutton—An act to amend Section 641 of the Welfare and Institutions Code, relating to probation officers acting as school attendance officers.

Referred to Committee on Education.

Senate Bill No. 1536: By Senator McCormack—An act to renumber Section 370 as Section 360, to amend and renumber Sections 371 and 371.5 as Sections 361 and 361.5 of, to add chapter headings for Chapters 1 and 3 of Division 6 of, to add Chapter 2, comprising Sections 365 to 371.9 to Division 6 of, and to repeal Section 372 of, the Vehicle Code, imposing a tax upon commercial vehicles for the privilege of operation upon the public highways.

Referred to Committee on Transportation.

Senate Bill No. 1537: By Senator Carter—An act to add Part 6 to Division 6, and to amend Section 11101 of, the Water Code and to repeal Chapter 1514 of the Statutes of 1945, Chapter 142 of the Statutes of the First Extraordinary Session of the Fifty-sixth Legislature, and Article 1 of Chapter 3 of Part 3 of Division 6, and Sections 1410, 1411, 1412, 1413, and 1418, of the Water Code, relating to water resources and

control and the financing thereof and abolishing the Water Project Authority of the State of California and transferring its powers and duties to the State Water Resources Board.

Referred to Committee on Water Resources.

Senate Bill No. 1538: By Senator Desmond—An act to amend Sections 276 and 352 of the Vehicle Code, and to add Sections 273.5, 279.5 and 308.5 thereto, relating to drivers licenses and the liability of parents for the driving of their minor children.

Referred to Committee on Transportation.

Senate Bill No. 1539: By Senator Tenney—An act to add Section 381 to the Alcoholic Beverage Control Act relating to alcoholic beverages and a certificate of compliance.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1540: By Senator Powers—An act to amend Section 9721 of the Government Code, relating to the Journals of the Senate and Assembly.

Referred to Committee on Rules.

Senate Bill No. 1541: By Senators Ward, McBride, Weybret, and Dilworth—An act to amend Section 4460 of the Labor Code, relating to permanent and temporary disability under the Workmen's Compensation Act.

Referred to Committee on Labor.

Senate Bill No. 1542: By Senators Ward, McBride, Weybret, and Dilworth—An act to amend Section 4460 of the Labor Code, relating to permanent and temporary disability under the Workmen's Compensation Act.

Referred to Committee on Labor.

Senate Bill No. 1543: By Senators Ward, McBride, Weybret, and Dilworth—An act to amend Sections 3503 and 4703 of, and to add Section 4703.1 to the Labor Code, relating to workmen's compensation death benefits.

Referred to Committee on Labor.

Senate Bill No. 1544: By Senators Ward, McBride, Weybret, and Dilworth—An act to add Chapter 6, consisting of Section 16545 to Part 1, Division 7 of the Business and Professions Code, relating to workmen's compensation.

Referred to Committee on Labor.

Senate Bill No. 1545: By Senators Ward, McBride, Weybret, and Dilworth—An act to amend Sections 5303, 5404, 5405, 5406, and 5410 of, and to add Section 5411 to the Labor Code, relating to compensation proceedings.

Referred to Committee on Labor.

Senate Bill No. 1546: By Senators Ward, McBride, Weybret, and Dilworth—An act to amend Section 11661 of the Insurance Code and to add Section 4553.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Labor.

Senate Bill No. 1547: By Senators Quinn, DeLap, and Dilworth—An act to add Section 10131.5 to the Business and Professions Code, relating to real estate brokers.

Referred to Committee on Military and Veterans Affairs.

Senate Constitutional Amendment No. 16: By Senator O'Gara—Proposed amendment to Article XIII of the Constitution by adding Section 1d to said article, relative to exemptions from taxation.

Referred to Committee on Revenue and Taxation.

Senate Constitutional Amendment No. 17: By Senator Parkman—Proposed amendment to Section 8 of Article I of the Constitution, relative to grand juries.

Referred to Committee on Judiciary.

Senate Constitutional Amendment No. 18: By Senators Keating and Powers—Proposed amendment to Section 22 of Article XX of the Constitution, relative to intoxicating liquors.

Referred to Committee on Governmental Efficiency.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 973—An act making an appropriation in augmentation of the appropriation in Item 79.5 of the Budget Act of 1945, for publishing, purchasing, and shipping free textbooks, to take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

SENATE CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: The Committee on Conference concerning:

Assembly Bill No. 747—An act to add Section 2042 to the Penal Code, relating to escapes from the California Vocational Institution, and declaring the urgency thereof, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

DEUEL
CARTER
GORDON

Senate Committee on Conference

GEDDES

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

MOTION TO APPROVE JOURNALS

Senator Powers moved that the Journals of Monday, February 3, 1947, and Tuesday, February 4, 1947, be approved as corrected by the Minute Clerk and Journal Clerk.

Motion carried.

MOTION TO APPROVE MINUTES

Senator Powers moved that the minutes for this day, February 5th, be approved, as read.

Motion carried.

MOTION TO PRINT REPORT

Senator Hatfield moved that the following Second Special Report Regarding Foot and Mouth Disease in Mexico be printed in the Journal and 500 additional copies of the report be printed in 10-point type.

Motion carried.

SECOND SPECIAL REPORT

Regarding Foot-and-mouth Disease in the Republic of Mexico. Submitted by the Joint Legislative Committee on Agricultural and Livestock Problems

PROBLEM: The menace to the American livestock industry represented by the presence of foot-and-mouth disease among livestock in the Republic of Mexico.

Since the Special Report of the committee made on January 15, 1947, relating to the presence of foot-and-mouth disease in the Republic of Mexico, and pointing out the serious threat the disease is to the American food and milk supply, there have been a number of developments of which the committee believes the Members of the Legislature and the people of California should be informed.

In our previous report, and in Senate Joint Resolution No. 2 on January 14, 1947, the committee stated that Governor Warren has taken a keen personal interest in this grave situation and has done everything that could be expected he could do to protect California livestock against an invasion by this terrible disease of animals. He continues his personal attention to the problem day by day.

The Governor has offered also to use the emergency funds at his disposal for any proper program to safeguard California's livestock industry from this threat. He has telegraphed the President of the United States, the governors of the several border states and has made several very helpful suggestions to increase the degree of protection existing. He also telegraphed the President of the Republic of Mexico offering the assistance and cooperation of California in combatting the disease and attempting to prevent its further spread.

As a result of the knowledge developed by our Legislature in formulating Senate Joint Resolution No. 2, our legislator members on the California Commission on Interstate Cooperation presented the problem to the General Assembly of the Council of State Governments meeting at Chicago, Illinois, January 16-18, 1947. As a result, a resolution similar to Senate Joint Resolution No. 2 was unanimously adopted in behalf of the

44 states which are members of the council. This action definitely showed the unanimity of opinion throughout the Nation of the serious menace presented by the situation in Mexico.

The Governor, and the State Director of Agriculture, and the veterinarians in the Division of Animal Industry, California Department of Agriculture, have cooperated diligently in searching out and establishing the facts concerning this situation, and the Members of the Congress have been most cooperative in their interest and understanding of the problem. Cattlemen have been especially interested and cooperative and their organizations have passed strong resolutions calling for maximum effort to repel the disease.

Foot-and-mouth disease exists all over the world wherever cattle and sheep are produced, with the exception of the North American Continent, the West Indies, Cuba, Australia, and New Zealand.

On eight occasions in this century we have had outbreaks of foot-and-mouth disease in this Country.

Each time, by prompt work of the Bureau of Animal Industry of the United States Department of Agriculture, aided by the various states, the disease has been stamped out. A former Chief of the United States Bureau of Animal Industry has estimated that the entire cost to the livestock industry, and to the State and the Federal Governments cooperating in stamping out the disease in these eight outbreaks, exceeds two hundred million dollars. Many of these millions of dollars were paid by California and Californians.

The 1914 outbreak was perhaps the most serious and widespread nationally. It was necessary to kill 172,222 head of cattle, hogs, and sheep in 22 states.

The livestock killed in that outbreak in the 10 larger states were as follows: Illinois, 78,566; Pennsylvania, 26,306; Ohio, 12,142; Massachusetts, 8,238; Michigan, 7,877; Indiana, 7,050; New York, 6,545; Wisconsin, 4,703; Kentucky, 4,025; Iowa, 3,914.

Reference has been made previously to California's dreadful experience in two outbreaks.

Foot-and-mouth disease attacks cattle, hogs, sheep, goats and other cloven hoofed animals. The disease is highly infectious and when once started spreads with great rapidity. The nature of the disease is such that every object with which the infected animal comes into contact becomes a possible source of infection from which other animals or humans may spread the disease.

Infected animals coming in contact with a healthy herd, of course, are the main carriers of the disease; but it is generally believed that next to the infected animals and the products therefrom that man can carry the virus and spread the disease on his shoes or clothing. The 1929 outbreak in California was directly traced to garbage brought ashore from a ship just returned from Argentina. When hogs ate the infected garbage, they were victims of foot-and-mouth disease.

Usually the United States is fortunate to have an ocean between us and the countries where foot-and-mouth disease prevails. Now, suddenly, we find the scourge in the Republic of Mexico.

The origin of the infection, sketched briefly in the committee's first special report, is of particular interest in view of the repeated charges that the sanitary embargo against the South American meat was a mere

pretext used by the livestock industry to prevent competition from those countries that made no effort to stamp out foot-and-mouth disease.

The present source of infection came to Mexico through the importation of Brahma (Zebu) bulls from Brazil. A relatively small shipment, about 140 head, was received in October, 1945. The United States Bureau of Animal Industry at once protested the acceptance of this shipment as being in violation of the sanitary treaty between the United States and Mexico. The record of this protest is well documented.

The protest was ignored, and after a brief quarantine period on an island in the Harbor of Vera Cruz, the bulls were allowed to land and 18 of the animals were moved into the southern part of Texas, an extraordinary procedure.

There is no record that this first shipment of bulls brought the foot-and-mouth disease with them, and the few head now in Texas are under close quarantine and supervision.

On April 10, 1946, a much larger shipment of Brahma bulls left Brazil for Mexico (about 327), and despite strenuous and repeated protests of the American Bureau of Animal Industry were allowed to unload on the Island of Sacrificios, near Vera Cruz.

The commercial cattlemen of Northern Mexico joined in the protest. At a conference in Los Angeles late in July between representatives of the American Department of Agriculture and the Mexican Department of Agriculture, it was agreed that these bulls would either be returned to Brazil or be shipped to Europe for relief purposes. However, the Mexican authorities permitted these bulls to be moved from the quarantine island to the mainland, and they were placed on a ranch in the State of Vera Cruz.

In about three weeks' time after the bulls were moved to this ranch, foot-and-mouth disease broke out among cattle in contact with them.

Unfortunately, the Mexican Government did not let the American Government know of this outbreak for about two months. It was not until December 18th that the United States Bureau of Animal Industry learned of the situation and not until December 26th of last year that the disease was positively diagnosed by veterinarians of the United States Bureau of Animal Industry, using laboratory tests, as foot-and-mouth disease.

Since that time several officials of the United States Bureau of Animal Industry have spent considerable time in Mexico surveying the situation in order to help the Mexican Government eradicate or check the disease.

The State Division of Animal Industry, through the Bureaus of Livestock Disease Control, Meat Inspection, Livestock Identification, and Dairy Service, has coordinated and cooperated with the United States Bureau of Animal Industry, the Federal and State Bureau of Entomology and Plant Quarantine, United States Customs, United States Immigration, State Division of Fish and Game, county livestock inspectors and veterinarians in effecting protective measures against the entrance of foot-and-mouth disease from Mexico through infective carriers.

Maritime Port Inspection: All ships carrying meat sea stores, which originate in countries in which foot-and-mouth disease is present, are under regular inspection and control by the United States Public Health

Service, United States Customs, United States Bureau of Animal Industry, State Division of Animal Industry, Federal and State Bureaus of Entomology and Plant Quarantine, assisted in many ports by county agricultural commissioners and county livestock inspectors. All vessels carrying meat sea stores which originated in Mexico are sealed while the vessels are in California ports. Garbage from all ships in port is either retained on board, destroyed in incineration or hauled out to sea for dumping under proper sanitary safeguards.

Airplane Inspection: Aircraft from Mexico and other foreign countries in which foot-and-mouth disease exists are under inspection on arrival for prohibited plant and animal materials by the State and Federal Bureaus of Entomology and Plant Quarantine, assisted by the inspectors of the Division of Animal Industry.

Inspection of Hogs and Cattle: Hogs, especially garbage fed hogs, are under routine inspection by veterinarians trained especially in the detection of vesicular diseases.

Reference was made in the Special Report to the large number of cattle which had come into California from Mexico following the quarantine imposed against the importation of Mexican cattle in connection with foot-and-mouth disease, October 18th.

It is the belief of the State Department of Agriculture that in all about 38,000 head of cattle came into California directly from Mexico between October 18 and December 26, 1946, when the border was closed again.

The department has no way of determining, however, the number of cattle brought into the State originating in Mexico, the ownership of which was changed in other border states.

All known cattle originating in Mexico now in California are under constant veterinary inspection by veterinarians of the State Department of Agriculture, Division of Animal Industry, and the county livestock inspectors.

The cattlemen are giving the department great assistance in identifying Mexican cattle.

All cattle coming into the State from other states are subject to veterinary inspection by state and county veterinarians.

In furtherance of California's grave concern in this situation, the State Director of Agriculture sent Assistant Director Dr. C. U. Duckworth to Washington, D. C., for a first hand report and offer of full cooperation by the State of California in any international attack on the disease in Mexico.

In addition Dr. A. K. Carr, Chief of the Division of Animal Industry, State Department of Agriculture, will attend an emergency meeting of the United States Livestock Sanitary Association in Fort Worth, Texas, at which reports will be made by members of the United States Bureau of Animal Industry who are making an investigation of the control along the border from Texas to California.

Upon receipt of word by telephone from Washington, D. C., that the Mexican outbreak was in fact foot-and-mouth disease, the California department took every precaution known to it to keep the disease from this State.

The committee wishes to emphasize that foot-and-mouth disease control is not a human health problem. However, the livestock industry of this Nation cannot exist with foot-and-mouth disease.

In Argentina, where it has been prevalent so long, there are large alfalfa fields on which the cattle run during many months of the year. On soft feed and footing of this kind, the effect of the disease is said to be far less serious than it would be under other conditions, such as exist in the United States and California.

In the northern and western part of this Country, where cattle are on dry feed for six to eight months of the year, the situation would be entirely different and under the range conditions of the West, where cattle must travel long distances for feed and water, the situation would be such that the cattle industry could not operate successfully.

The investment in livestock in the United States is said to equal the combined investment in the steel and automobile industries. With an investment of that size, a very large part of it in California, we simply must do everything possible to prevent the disease from spreading.

If your next door neighbor's house is on fire, of course, you help him put it out. If the wind is blowing toward your house, you keep your eye out for flying sparks. That is exactly the position of the American livestock industry in this present dreadful situation.

It may be that before the foot-and-mouth disease is controlled in Mexico that every head of cattle in that infected area may have to be killed and buried. That is the way the disease has been fought in California and the United States. In that case the United States might have to pay a large portion of the bill to protect this Nation's livestock and our milk supply.

The committee wishes to take this opportunity to point out a significant fact. Over the years some radio commentators, magazine and newspaper writers, and others have sought to convince the American people that the sanitary embargo which prevented beef and lamb exports from certain South American countries to this Country was a subterfuge and economic barrier. They called it a "phony" law to keep out competing meat.

Now with foot-and-mouth disease on the North American Continent, the American people will have to review everything these people have written and said over the radio. They will have to look at these statements in the cold light of unhappy fact.

California must help keep this Country free of foot-and-mouth disease. The committee is not informed what the program of the United States Bureau of Animal Industry and the Committee on Agriculture of the House will recommend but it is absolutely imperative that we do everything possible to keep the disease from spreading into the Northern Mexico States, for the very simple reason that if it ever gets up to our borders it will be practically impossible to prevent the disease from spreading to our Country no matter how tightly the international border may be closed.

The disease can be carried by birds or by wild animals as well as on clothing of human beings or packing materials, and in many other ways.

If it ever invades Northern Mexico and is allowed to become established there, then we will have a constant battle to keep it out of the United States and California.

It is a serious threat, even though now it is reported to be a distance of several hundred miles from the nearest infected area to our American border.

There is one project that may be of great help in keeping the disease out of the United States. That is a new international fence.

The International Boundary and Water Commission, United States and Mexico, has submitted to the Congress two proposals for carrying on fence construction along the Mexican boundary. The fence was included in the budget as a measure to repel tick infested cattle. One project contemplates fencing along the boundary line west of El Paso, Texas, and the other contemplates the construction of 415 miles of fence extending from Del Rio, Texas, to the Gulf of Mexico along the Rio Grande border.

The American cattle industry and livestock disease officials are very much interested in the protection that would be furnished by the proposed fencing in both sections, including the California-Mexican border, because of the assistance it would be to our livestock disease control and eradication work in the United States and the protection that it would provide against the admission of animal diseases and parasites from Mexico. The United States Division of Animal Industry has appealed to federal officials for immediate action in construction of a good fence.

At present the United States Bureau of Animal Industry maintains a force of about 44 men along this border at an annual cost to the Federal Government in excess of \$100,000.

With the completion of the proposed fence, it is believed that it may be possible to furnish much better protection than is at present possible. Perhaps the personnel should be greatly strengthened, because of the present foot-and-mouth disease threat.

California is very much interested in this proposed fencing of the international border and it is to be hoped that the project will be adequately financed and rushed to completion at the very earliest date possible.

United States Representative Ernest K. Bramblett of California, former Mayor of Pacific Grove, is a member of the Special Committee of the House on Foot-and-Mouth Control.

GEORGE J. HATFIELD, Chairman
LLOYD W. LOWREY, Vice Chairman
THOMAS M. ERWIN, Vice Chairman
GEORGE A. CLARKE
GEORGE R. BUTTERS
RALPH M. BROWN

JOHN F. THOMPSON
BEN HULSE
BRADFORD S. CRITTENDEN
HAROLD J. POWERS
EARL D. DESMOND
FRED WEYBRET

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly appointed Messrs. Doyle, Evans, and Gaffney as a Second Committee on Conference concerning:

Assembly Bill No. 747—An act to add Section 2042 to the Penal Code, relating to escapes from the California Vocational Institution, and declaring the urgency thereof, to take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

RESOLUTIONS

The following resolutions were offered :

By Senator Williams :

Senate Resolution No. 56

Resolved, That a Committee of Three be appointed by the President of the Senate to notify the Governor that the Senate is ready to adjourn for the constitutional recess, and to ask if he has any further communications to transmit to the Senate.

Resolution read, and, on motion of Senator Williams, adopted.

Appointment of Special Committee

In accordance with the above resolution, the President appointed Senators Williams, Desmond, and Parkman as a committee to wait on His Excellency, Governor Earl Warren, and inform him that the Senate is ready to adjourn for the constitutional recess.

By Senator Watson :

Senate Resolution No. 57

Resolved, That a Committee of Three be appointed by the President of the Senate to notify the Assembly that the Senate is ready to adjourn for the constitutional recess, and to ask if the Assembly has any further communications to transmit to the Senate.

Resolution read, and, on motion of Senator Watson, adopted.

Appointment of Special Committee

In accordance with the above resolution, the President appointed Senators Watson, Breed, and Mayo as a committee to inform the Assembly that the Senate is ready to adjourn for the constitutional recess.

REPORTS OF SPECIAL COMMITTEES

Senators Williams, Desmond, and Parkman, as a Special Committee appointed to wait upon the Governor and inform him of the readiness of the Senate to adjourn for the constitutional recess, reported that His Excellency had informed the committee that he had no further communication to transmit to the Senate.

Senators Watson, Breed, and Mayo, as a Special Committee appointed to inform the Assembly of the readiness of the Senate to adjourn for the constitutional recess, reported that the committee had delivered the message to the Assembly, and had been requested to inform the Senate that the Assembly had no further communications to transmit as they were prepared to adjourn for the constitutional recess.

MESSAGES FROM THE ASSEMBLY

At 4.55 p.m. a committee from the Assembly, consisting of Messrs. Kirkwood, Miller, and Caldecott appeared at the bar of the Senate, and announced that the Assembly had no further communications to transmit to the Senate, and was now prepared to adjourn for the constitutional recess.

ADJOURNMENT FOR CONSTITUTIONAL RECESS

Whereupon, at 5 o'clock p.m., on motion of Senator Carter, in accordance with the provisions of Assembly Concurrent Resolution No. 40, Senator Harold J. Powers, President pro Tempore of the Senate, declared the Senate adjourned for the constitutional recess, to reconvene at 11 o'clock a.m., on March 17, 1947, out of respect to the memory of Admiral Marc A. Mitscher, U. S. Navy.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

TWENTY-FOURTH LEGISLATIVE DAY

SEVENTY-FIRST CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, March 17, 1947

Pursuant to Assembly Concurrent Resolution No. 40, providing for the reconvening of the Legislature after the constitutional recess, the Senate met at 11 a. m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—35.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Sutton, on motion of Senator Powers, due to legislative business.

Senator Desmond, on motion of Senator Powers, due to legislative business.

Senator Weybret, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Powers, Hulse, and Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Senators Jerrold L. Seawell and E. George Lucky.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lt. Col. Robert A. Little, Army Air Forces, Hamilton Field.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ben Stich of Riverside.

On request of Senator Quinn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Arthur Gist, President of the Humboldt State College, Arcata, and Mr. Art Loder, student at Arcata High School, Arcata.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sisters Catharine Julie, Winifred Marie, Marie Celine, Ann Loretto, Claire Marie, Aloysius Bernadine, Mrs. Raymond M. Mosher, teacher, and the following students of the Notre Dame High School of San Jose: Mildred Canelo, Marie Pritchard, Betty Bailey, Kristine Jensen, Sharon Caselli, Jeanne Lang, Lorraine Cancella, Patricia Puziene, Mary Theresa Ristey, Mabel Perry, Dorothy Snow, Janice Eckstrom, Jeanne Sullivan, Eleanor Gonzalves, Carmella Badalamento, Frances Pusateri, Lois Silvera, Jean Boitano, Gloria Marianelli, Patricia White, Marie Bozzo, Sylvia Pucinelli, Joan Leahy, Doris Pfeiffer, Frances Pfeiffer, Barbara Pfeiffer, Leaneore Borcala, Jean McCarthy, Paula O'Keefe, Rosemary Pasin, Mary Louise Gomes, Marta Alvarez, Virginia Fernandez, Mary Louise Mercier, Eleanor Fassler, Mary Anne Griffre, Charlotte Hess, Diane Schott, Constance Mafort, Agnes Flecklin, Eileen MacDonald, Caroline Nardini, Virginia Bowe, Eileen Dempsey, June Carpita, Mary Louise Cataldi, Patricia Kiely, Margaret Schuh, Jacqueline Bessiere, Mary O'Donnell, Kathleen Maloney, Joan Kuklinski, Corinne Kenneally, Mary Maretini, Joyce Frost, Mary Ann Orlando, Marie Cefalu, and Lily Ducote.

COMMUNICATIONS

The following communications were received, read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, March 14, 1947

*Mr. Joseph A. Beek, Secretary of the Senate
Senate Chamber, Sacramento, California*

DEAR MR. BEEK: At 11:30 Monday morning the Assembly is holding a St. Patrick's Day celebration of very short duration. However, we feel it would be worth while for the Senators to attend, and may I request that this communication be directed to them, and their presence requested at the hour so that they may participate with us in the St. Patrick's Day celebration.

An address will be made by William A. O'Brien, a prominent attorney of California; and music will be provided by Michael Patrick Brennan.

Sincerely yours,

SAM L. COLLINS, Speaker

WAR ASSETS ADMINISTRATION
WASHINGTON 25, D. C., March 10, 1947

In Reply Refer To: AGC

*Honorable J. A. Beek, Secretary of the Senate
State of California, Sacramento, California*

DEAR MR. BEEK: The copy of Senate Joint Resolution No. 7, adopted by the California Legislature and attached to your letter to the President dated February 5, 1947, has been referred for consideration to this Administration.

I am pleased to advise you that the resolution has been referred to our General Counsel for consideration and study in connection with the drafting of legislation covering proposed amendments to the Surplus Property Act of 1944 as amended.

Sincerely yours,

J. W. MOLLISON, Associate Administrator

PRINTING LETTER OF TRANSMITTAL

The following letter of transmittal was ordered printed in the Journal, and the Report of the State Water Resources Board was ordered filed with Secretary of the Senate:

STATE WATER RESOURCES BOARD
SACRAMENTO 5, CALIFORNIA, February 22, 1947

Members of the California State Legislature

GENTLEMEN: I have the honor to transmit herewith in accordance with the provisions of the State Water Resources Act of 1945 a report of the State Water Resources Board on the application of the City of San Diego for state financial assistance for the San Diego River Flood Control Project.

Very truly yours,

ROYAL MILLER, Chairman

MOTION TO PRINT LETTER OF TRANSMITTAL

Senator Tenney moved that the following letter of transmittal be printed in the Journal, and the complaint and brief concerning subversive textbooks be referred to the Committee on Education:

Motion carried.

SAN FRANCISCO, CALIFORNIA, February 21, 1947

*J. A. Beek, Secretary of the Senate
State Capitol, Sacramento, California*

Subject: Complaint re State Department of Education

DEAR SIR: You will find enclosed herewith copy of a complaint and brief concerning subversive textbooks and misconduct of the Superintendent of Public Instruction, the Curriculum Commission, and the State Board of Education.

Copies of these documents are being delivered today to Lieutenant Governor Knight, as President of the Senate, and to the Honorable Sam L. Collins, as Speaker of the Assembly.

You are requested to lodge these papers in your office for consideration by the Senate, in order that same may be available to members of the press, the public, and other interested parties.

Very truly yours,

AARON M. SARGENT

MOTION TO PRINT RECOMMENDATIONS RE PRE-SCHOOL TRAINING

Senator Tenney moved that the following recommendations by the Joint Legislative Interim Committee on Pre-School Training be printed in the Journal and 1,000 copies be printed separately in 10 point type:

Motion carried.

**RECOMMENDATIONS OF JOINT INTERIM COMMITTEE
ON PRE-SCHOOL TRAINING**

The Joint Legislative Interim Committee on Pre-School Training hereby makes the following recommendations relative to child care centers:

1. That child care centers, as provided under and designed to fill a wartime need should be discontinued; and
2. That a child care service should be continued under peacetime needs with state aid to meet the requirements of needy parents and their children; and
3. That the parents' and children's need of the service be determined under the following conditions:

(a) That there is but one parent in the home who both supports and care for the child, or

(b) That there are two parents in the home, one of whom is physically or mentally unable to either support the family or care for the child, or

(c) That either parent is a veteran of World War II attending school or receiving instruction under the GI Bill of Rights during the years 1947 to 1951, and the other parent, if any, is gainfully employed, or

(d) That the services of the parent having care of the child are necessary as a teacher in a public school or as a nurse in a hospital.

4. That except under the conditions as set forth in 3 (c) and (d) above no child shall be admitted to a child care center unless the total monthly income from all sources of the child's immediate family is less than two hundred dollars (\$200) or unless the monthly income per person in the family as determined by dividing the total monthly income of the immediate family from all sources by the number of persons to be supported therefrom does not exceed fifty-five dollars (\$55).

5. That a part of the cost of such child care service be borne by the parent by the payment of a reasonable fee set in proportion to the total family income, and size of the family.

6. That such child care services wherever possible be maintained in the buildings and with the equipment and facilities now in use and available.

7. That such child care services be administered by the regular public school administrative staffs.

8. That wherever the word parent is used herein it shall be deemed to include anyone having the actual legal care and custody of the child.

Signed

JACK B. TENNEY
CHRIS JESPERSEN
ARTHUR H. BREED
M. PHILIP DAVIS
ERNEST R. GEDDES
FRANCIS DUNN

COMMUNICATIONS

The following communications were received, read, and ordered printed in the Journal:

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON 25, D.C., February 28, 1947

*Hon. J. A. Beek, Secretary of the Senate
State of California, Sacramento, California*

DEAR MR. BEEK: President Truman has asked us to write to you concerning the California Senate's Resolution No. 53, a copy of which you recently forwarded to him. We very much appreciate the interest that the California Senate has taken in the national school lunch program.

As you may know, President Truman specifically mentioned the school lunch program in his Economic Report to Congress of January 8, 1947. In that report he stated: "The Congress has recently authorized a permanent school-lunch program in cooperation with the states. I hope this program will be expanded until we are sure that every American school child gets an adequate diet." This and other similar statements which Mr. Truman has made since he became President are indications that California and the rest of the Nation may expect his continued support for this very worthwhile program.

Sincerely yours,

N. E. DODD, Acting Secretary

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE, WASHINGTON, February 12, 1947

Mr. J. A. Beek, Secretary of the Senate
State of California Legislature, Sacramento, California

DEAR MR. BEEK: Your letters of January 23d to the President and to the Secretary of Agriculture, transmitting a copy of Senate Resolution No. 38, have been referred to me for reply.

This expression of interest by the California Senate in the Forest Service Research Program at the San Joaquin Experimental Range is greatly appreciated. It is particularly gratifying at this time since the program at San Joaquin was curtailed during the war to a more or less maintenance basis. Moreover, the Conscientious Objector Camp that was at the San Joaquin Experimental Range and aided materially in the conduct of the research has now been liquidated.

The fine cooperation which representatives of the Forest Service have enjoyed with stockmen and members of the University of California and the University Agricultural Experiment Station has, however, materially enhanced the research. We hope that it will be possible to build up the San Joaquin Experimental Range research work so that it can contribute even more to the welfare of the stockmen and the ranges of your State.

Sincerely yours,

LYLE F. WATTS, Chief

DEPARTMENT OF PROFESSIONAL AND VOCATIONAL STANDARDS

DIVISION OF ADMINISTRATIVE PROCEDURE

SACRAMENTO 14, CALIFORNIA

February 28, 1947

Mr. Joseph A. Beek, Secretary, California State Senate
State Capitol, Sacramento, California

DEAR MR. BEEK: Pursuant to the provisions of Business and Professions Code, Section 110.6, we are submitting herewith the Biennial Report of the Division of Administrative Procedure to the Governor and to the Legislature.

Yours truly,

RALPH N. KLEPS, Chief,
Division of Administrative Procedure

LOS ANGELES, CALIFORNIA, February 22, 1947

California State Legislature
Sacramento, California

GENTLEMEN: On March 9, 1842, a native Californian by the name of Lopez first discovered gold in California, at Placerita Canyon, some 30 miles from the City of Los Angeles.

We have marked the site of the discovery with an appropriate marker, but we feel that our State Legislature should create a state park commemorating this important date in our State's history.

History tells us that six years later James W. Marshall, a carpenter in the employ of John A. Sutter to build a saw mill on the American River, found gold in the tail-race. This discovery brought on the 1849 Gold Rush.

You have made a state park at the Marshall, Sutter Mill site, but have neglected to set aside a park at the first and original site of the finding of gold in California, at Placerita Canyon, Los Angeles County.

We request that you give your prompt attention to the bill creating a state park in this locality, and act favorably so that this park will become a reality.

Sincerely yours,

W. O. GILKEY
History and Landmarks Committee

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, February 6, 1947

To the Honorable Members of the Senate
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Senate Bill No. 64, entitled "An act to amend Sections 164, 181, 222 of, to repeal Section 146.5 of, and to add Section 182.1 to, the Vehicle Code, relating to the registration and transfers of registration of vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately."

My objections to this bill are as follows:

Although the bill is stated to be an urgency measure necessary for the immediate preservation of the public peace, health or safety, I am advised by the law enforcement officers of the State, including many of those who have had the greatest experience with auto thieves, that the failure of the State to check applications for transfers

of registration against the stolen car index would facilitate the registration of cars by auto thieves.

There was apparently no serious consideration given this part of the bill, and the chiefs of police, district attorneys and sheriffs state that they were not aware that this provision was in the bill, and had they known of its presence there would have opposed its approval.

There is no objection to the other portions of the bill, and I suggest that after the recess the legislation be revised to accomplish the other desirable features of the bill and to make some adjustment regarding the provision of the bill relative to the use of the stolen car index consistent with law enforcement procedure.

Respectfully submitted.

EARL WARREN, Governor

Message read.

CONSIDERATION OF GOVERNOR'S VETO

Senate Bill No. 64—An act to amend Sections 164, 181, 222 of, to repeal Section 146.5 of, and to add Section 182.1 to, the Vehicle Code, relating to the registration and transfers of registration of vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being: Shall Senate Bill No. 64 become a law notwithstanding the objections of the Governor?

The roll was called, and the Senate sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—31.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, February 6, 1947

To the Honorable Members of the Senate

State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Senate Bill No. 201, entitled "An act to amend Sections 18540 and 18973 of the Government Code, relating to veterans and civil service credits for military service, and declaring the urgency thereof, to take effect immediately."

My objections to this bill are as follows:

I believe that this bill is an unwarranted extension of veterans preference in our state civil service examinations. It provides that anyone who was in service as little as one day before December 31, 1946, which is 15 months after the actual warfare was over, is entitled to a lifetime preference over his fellow citizens in civil service. In my opinion this is not within the spirit of veterans privileges, and in fact reduces such system to an absurdity.

In addition, this act would deprive some men who had arduous service overseas in expeditionary forces, from civil service preference to which they have heretofore been entitled under existing law. To thus deprive them of existing preferences and at the same time grant the privilege to men who have been in as little as one day after actual warfare ceased, cannot be reconciled. Under our very liberal existing law every veteran who has 30 days service in time of war in the armed forces is entitled to a 10 percent preference, and if disabled, is entitled to a 15 percent preference.

Respectfully submitted.

EARL WARREN, Governor

Message read.

CONSIDERATION OF GOVERNOR'S VETO

Senate Bill No. 201—An act to amend Sections 18540 and 18973 of the Government Code, relating to veterans and civil service credits for military service, and declaring the urgency thereof, to take effect immediately.

The question being: Shall Senate Bill No. 201 become a law notwithstanding the objections of the Governor?

The roll was called, and the Senate sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—32.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, March 17, 1947

*To the Senate of the State of California
Sacramento, California*

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to

Senate Bill No. 201, entitled "An act to amend Sections 18540 and 18973 of the Government Code, relating to veterans and civil service credits for military service, and declaring the urgency thereof, to take effect immediately."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Joseph A. Beek, Secretary of the Senate, at 8 o'clock p.m. on the sixth day of February, 1947, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Message read, and ordered printed in the Journal.

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, March 17, 1947

*To the Senate of the State of California
Sacramento, California*

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to

Senate Bill No. 64, entitled "An act to amend Sections 164, 181, 222 of, to repeal Section 146.5 of, and to add Section 182.1 to, the Vehicle Code, relating to the registration and transfers of registration of vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Joseph A. Beek, Secretary of the Senate, at 8 o'clock p.m. on the sixth day of February, 1947, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Message read, and ordered printed in the Journal.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1820

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bill was read the first time:

Assembly Bill No. 1820—An act to amend Sections 89 and 92 of the Agricultural Code, and Section 5154 of the Public Resources Code,

relating to fairs of counties and district agricultural associations, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, CALIFORNIA, March 17, 1947

MR. PRESIDENT: The Committee on Rules, on January 29th, appointed Senators Mayo and Deuel as members of the State Allocation Board, to take the places of Senators Hatfield and Salsman.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 31—An act to amend Section 1187 of the Code of Civil Procedure, relating to mechanics' liens, declaring the urgency hereof, to take effect immediately;

Senate Bill No. 99—An act reappropriating to the Department of Public Works for expenditure exclusively for surveying projects for the control, conservation and utilization of water resources for any beneficial purpose required for mountainous areas of this State, the unexpended and unencumbered balance of funds appropriated by the Flood Control Fund Act of 1946, approved March 12, 1946, and allocated to the Department of Public Works by Section 15 of said act; repealing said Section 15 of said act; declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of February, 1947, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, February 7, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 24—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 3 (Res. Ch. 20, 1945);

Senate Concurrent Resolution No. 25—Relative to requesting the Governor to proclaim a tree planting time for California;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventh day of February, 1947, at 11 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, February 5, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 19—Relative to a study by the Judicial Council of the State of California of the court structure of all courts in the State of California exercising jurisdiction inferior to the superior court;

Senate Concurrent Resolution No. 21—Relative to the intent and purpose, and the administration of the provisions of Chapter 728 of the Statutes of 1945, relating to inflammable articles;

Senate Joint Resolution No. 7—Relative to memorializing the President and the Congress of the United States in relation to the renewal of restrictions on the availability of federal surplus property to educational institutions;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fifth day of February, 1947, at 4 p.m.

POWERS, Chairman

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 298

Senate Bill No. 660

Senate Bill No. 387

Senate Bill No. 662

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 741

Senate Bill No. 755

Senate Bill No. 742

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 657

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

CRITTENDEN, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 284

Senate Bill No. 287

Senate Bill No. 286

Senate Bill No. 288

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 661

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 462

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 743

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 324

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 1155

Senate Bill No. 132

Senate Bill No. 117

Senate Bill No. 318

Senate Bill No. 319

Senate Bill No. 323

Senate Bill No. 352

Senate Bill No. 364

Senate Bill No. 365

Senate Bill No. 778

Senate Bill No. 833

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 587

Senate Bill No. 589

Senate Bill No. 609

Senate Bill No. 1298

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

JESPERSEN, Chairman

Above reported bills ordered to second reading.

RESOLUTIONS

The following resolutions were offered:

By Senator Ward:

Senate Resolution No. 58

Resolved. That the President of the Senate appoint a Special Committee of Three to notify the Governor that the Senate has reconvened the Fifty-seventh (General) Session, after the constitutional recess, pursuant to Assembly Concurrent Resolution No. 40, and is now ready to receive any communication he may have to make.

Resolution read, and, on motion of Senator Ward, adopted.

Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Ward, McBride, and Busch.

By Senator Watson:

Senate Resolution No. 59

Resolved. That the President of the Senate appoint a Special Committee of Three to notify the Assembly that the Senate has reconvened the Fifty-seventh (General) Session, after the constitutional recess, pursuant to Assembly Concurrent Resolution No. 40, and is now ready to proceed with the business of the State.

Resolution read, and, on motion of Senator Watson, adopted.

Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Watson, Jespersen, and Carter.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 400

Senator Jespersen moved that Senate Bill No. 400 be withdrawn from Committee on Governmental Efficiency, and referred to Committee on Natural Resources.

Motion carried.

MESSAGES FROM THE ASSEMBLY

A committee from the Assembly, consisting of Messrs. Field, Doyle, and Geddes, appeared at the bar of the Senate, and announced that the Assembly was duly organized, and ready to proceed with the business of the State.

RECESS

At 11.30 a.m., on motion of Senator Powers, the Senate recessed until 11.50 a.m.

REASSEMBLED

At 11.50 a.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

RESOLUTIONS

The following resolution was offered :

By the Committee on Rules :

Senate Resolution No. 60

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the Fifty-seventh Session of the Legislature :

Sensors	County	Mileage	Total at 5 cents per mile
Breed, Arthur H., Jr.	Alameda	180	\$9 00
Brown, Charles	Inyo	1,292	64 60
Burns, Hugh M.	Fresno	338	16 90
Busch, Burt W.	Lake	320	16 00
Carter, Oliver J.	Shasta	330	16 50
Collier, Randolph	Siskiyou	590	29 50
Crittenden, Bradford S.	San Joaquin	94	4 70
Cunningham, R. R.	Kings	428	21 40
DeLap, T. H.	Contra Costa	164	8 20
Desmond, Earl D.	Sacramento	2	10
Deuel, Charles H.	Butte	202	10 10
Dillinger, H. E.	El Dorado	100	5 00
Dilworth, Nelson S.	Riverside	1,092	54 60
Donnelly, Hugh P.	Stanislaus	182	9 10
Gordon, Frank L.	Napa	94	4 70
Hatfield, George J.	Merced	236	11 80
Hulse, Ben	Imperial	1,206	60 30
Jespersen, Chris N.	San Luis Obispo	666	33 30
Judah, H. R.	Santa Cruz	336	16 80
Keating, Thomas F.	Marin	210	10 50
Kraft, Fred H.	San Diego	1,146	57 30
Mayo, Jesse M.	Calaveras	170	8 50
McBride, James J.	Ventura	900	45 00
McCormack, Thomas	Solano	124	6 20
O'Gara, Gerald J.	San Francisco	180	9 00
Parkman, Harry L.	San Mateo	222	11 10
Powers, Harold J.	Modoc	832	41 60
Quinn, Irwin T.	Humboldt	624	31 20

Senators	County	Mileage	Total at 5 cents per mile
Rich, Wm. P.	Yuba	106	\$5 30
Salsman, Byrl R.	Santa Clara	292	14 60
Slater, Herbert W.	Sonoma	204	10 20
Sutton, L. G.	Colusa	150	7 50
Swing, Ralph E.	San Bernardino	1,016	50 80
Tenney, Jack B.	Los Angeles	804	44 70
Ward, Clarence C.	Santa Barbara	920	46 00
Watson, Clyde A.	Orange	962	48 10
Weybret, Fred.	Monterey	484	24 20
Williams, J. Howard	Tulare	408	23 40

Officers	County	Mileage	Total at 10 cents per mile
Knight, Goodwin J., President	Los Angeles	894	\$89 40
Beek, J. A., Secretary	Orange	990	99 00
Nolan, Joseph F., Sergeant-at-Arms	Los Angeles	894	89 40
Lea, John F., Minute Clerk	Sacramento	2	20

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hulse, Jespersen, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Ward, Watson, and Williams—25.
NOES—None.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 342

Senator Hatfield moved that Senate Bill No. 342 be withdrawn from Committee on Labor, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 342—An act to amend Section 1135 of the Labor Code, relating to hot cargo and secondary boycotts, making the provisions thereof permanent, and declaring state policy in regard thereto.

Bill read second time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1 to 4, inclusive, of the title of the printed bill, and insert "An act to repeal Section 1135 of the Labor Code, relating to hot cargo and secondary boycotts, making the provisions of Chapter 8, Part 3, Division 2 of the Labor Code permanent."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 21, inclusive, and insert "SECTION 1. Section 1135 of the Labor Code is repealed.
 "SEC. 2. This act is enacted for the purpose of permanently preserving tranquility among the citizens of this State and to insure the unobstructed production and distribution of our factories and fields, for the continued and permanent protection and preservation of our democratic way of life and the public peace, health, safety and general welfare of the people of this State."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

REPORTS OF SPECIAL COMMITTEES

The following reports of special committees were received:

Senators Ward, McBride, and Busch, the Special Committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported that they had performed their duty.

Senators Watson, Jespersen, and Carter, the Special Committee appointed to notify the Assembly of the organization of the Senate reported that they had performed their duty.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 278

Senator Judah moved that Senate Bill No. 278 be withdrawn from Committee on Transportation, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 278—An act to amend Section 502 of the Vehicle Code, relating to the driving of vehicles.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 501 and".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 501 of the Vehicle Code is amended to read:

501. Person Driving Under Influence of Liquor Guilty of a Felony. Any person who, while under the influence of intoxicating liquor, drives a vehicle and when so driving does any act forbidden by law or neglects any duty imposed by law in the driving of such vehicle, which act or neglect proximately causes bodily injury to any person, is guilty of a felony and upon conviction thereof shall be punished by imprisonment in the state prison for not less than one year nor more than five years or in the county jail for not less than 90 days nor more than one year [or by fine of not less than two hundred dollars nor more than five thousand dollars or by both such fine and imprisonment].

There shall be no suspension of any sentence upon a conviction under this section and no suspension of the execution thereof. In any case in which probation is granted, one of the conditions of probation shall be that the person convicted of a violation of this section shall serve at least five days in the county jail.

SEC. 2. Section 502 of said code is amended".

Amendments read, and adopted.

Bill ordered printed, and referred to Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, March 5, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 28

Senate Bill No. 1488

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 6; absent 6.

KEATING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 5, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 49

Senate Bill No. 127

Senate Bill No. 1227

Senate Bill No. 825

Senate Bill No. 112

Senate Bill No. 1313

Senate Bill No. 119

Senate Bill No. 306

Senate Bill No. 120

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 6; absent 6.

KEATING, Chairman

Above reported bills ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolutions were offered:

Senate Concurrent Resolution No. 26: By Senator Hatfield—Relative to making funds available to the Joint Legislative Committee on Agriculture and Livestock Problems.

Referred to Committee on Rules.

Senate Joint Resolution No. 11: By Senator Hatfield—Relative to memorializing and petitioning the Congress of the United States to appropriate the funds authorized by the Agricultural Marketing Act of 1946, (Public Law 733, Seventy-ninth Congress), for agricultural marketing and research, at the earliest possible date.

Referred to Committee on Agriculture.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, March 11, 1947

To the Senate of the State of California

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

MRS. RUBY BACIGALUPE, a resident of San Francisco; Director of the San Francisco chapter of American Red Cross; member of the Board of Directors, Babies Aid, San Francisco; a graduate of the University of California 1907;

as member, Social Welfare Board, vice Mrs. Bernice Chipman, resigned, for the term prescribed by law, ending January 15, 1950.

MRS. BERYL C. REINHARDT, a resident of San Francisco; District Supervisor, San Francisco Public Welfare Department; a graduate of the University of California in 1929; received certificate from School of Social Service, University of California in 1933; a registered social service worker, employed in San Francisco since 1933;

as member, Board of Social Work Examiners, vice Gardner Bullis, resigned, for the term prescribed by law, ending January 15, 1950.

REVEREND THOMAS GRICE, a resident of Camarillo; retired Minister; active in American Legion affairs;

as member, Board of Trustees, Camarillo State Hospital, vice Charles F. Blackstock, resigned, for the term four years from date of appointment.

Sincerely,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

ADJOURNMENT

At 11.55 a.m., on motion of Senator Keating, the President declared the Senate adjourned until 2 p.m., Tuesday, March 18, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

TWENTY-FIFTH LEGISLATIVE DAY

SEVENTY-SECOND CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, March 18, 1947

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Rich, on motion of Senator Powers, due to legislative business.

Senator Weybret, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Irene Scott and Mrs. L. G. Hitchcock, instructors, and the following students of the Santa Rosa High School: Anne Seissei, Barbara LeBarron, Richard Read, Byron Carniglia, Craig Tocher, John Planting, Tod Ritchie, Jim Hitchcock, Max Helbig, and Bob Slagter; and Mr. Charles J. McGoldrick, District Attorney of Sonoma County.

On request of Senator Watson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Dale H. Heinly of Santa Ana.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister Mary Eleanor, Principal, Sisters M. Loretto, Agnes Joseph, Mary Patricia, Miss Myrtle Healy and the following students of the Notre Dame High School of Alameda: Josephine Barone, Beverly Bartlett, Consuelo Buitrago, Betty Jean Chambers, Eileen Conser, Cecelia Courtney, Mary Falls, Mary Frances Finkes, Virginia Fish, Mary Flynn, Mary Hagerty, Greta Hagman, Jacqueline Hickey, Ruth Iversen, Norma Kieffer, Carol Ladenburger, Mildred Lewis, Donna Louis, Adrienne Macartney, Joan Robinson, Gertrude Sappema, Margaret Whitelock, Eileen Williams, Betty Young, Joan Ackerman, Susan Alhadate, Barbara Alves, Frances Boisvert, Caroline Bosque, Frances Brown, Evelyn Capozo, Margaret Capozo, Peggy Cryan, Dorothea Cunha, Lucille DePaiva, Lora Fontanella, Joann Heck, Dolores Hidalgo, Dorothy Johnson, Marilyn Lawrence, Mona Loughran, Patricia McGuire, Patricia Murphy, Eileen Napier, Nancy Reed, Joan Roach, Mary Ann St. Clair, Patricia Singer, and Marilyn Videll.

On request of Senators O'Gara and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Martha Manhart, Chairman, Women's Division, Sacramento County Democratic State Central Committee.

On request of Senators O'Gara, Tenney, and Keating, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Theodora Hansen of Long Beach.

On request of Senators O'Gara and Keating, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Edwin Talbott Thayer of San Francisco.

MESSAGES FROM THE GOVERNOR

March 18, 1947

To the Senate of the State of California

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

WALTER A. GORDON, a resident of Berkeley, member of the Adult Authority, Department of Corrections since May 1, 1944;

as member of the Adult Authority, Department of Corrections, vice self, for the term prescribed by law, ending March 15, 1951.

LEWIS DRUCKER, a resident of San Francisco, member of the Adult Authority, Department of Corrections since May 1, 1944;

as member of the Adult Authority, Department of Corrections, vice self, for the term prescribed by law, ending March 15, 1951.

O. H. CLOSE, a resident of Sacramento, member of the Youth Authority since January 23, 1946;

as member of the Youth Authority, vice self, for the term prescribed by law, ending March 15, 1951.

KARL W. HOLTON, a resident of Los Angeles, member of the Youth Authority since October 1, 1943;

as member of the Youth Authority, vice self, for the term prescribed by law, ending March 15, 1951. I propose to designate Mr. Holton as Director of the Youth Authority.

Sincerely,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 2645

Assembly Bill No. 2646

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 2645—An act making an appropriation for the contingent expenses of the Assembly, without regard to fiscal years, including committee expenses, to take effect immediately.

Assembly Bill No. 2646—An act making an appropriation for mileage of the Members and Officers of the Assembly, without regard to fiscal years, to take effect immediately.

Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Bills Nos. 2645 and 2646, at this time, for consideration.

CONSIDERATION OF ASSEMBLY BILLS NOS. 2645 AND 2646

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Powers:

Resolved, That Assembly Bills Nos. 2645 and 2646 present a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bills be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—31.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 2645—An act making an appropriation for the contingent expenses of the Assembly, without regard to fiscal years, including committee expenses, to take effect immediately.

Bill read second time.

Assembly Bill No. 2645—An act making an appropriation for the contingent expenses of the Assembly, without regard to fiscal years, including committee expenses, to take effect immediately.

Bill read third time, and presented by Senator Powers.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah,

Keating, Kraft, Mayo, McBride, O'Gara, Powers, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2646—An act making an appropriation for mileage of the Members and Officers of the Assembly, without regard to fiscal years, to take effect immediately.

Bill read second time.

Assembly Bill No. 2646—An act making an appropriation for mileage of the Members and Officers of the Assembly, without regard to fiscal years, to take effect immediately.

Bill read third time, and presented by Senator Powers.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jaspersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Bill No. 58	Senate Bill No. 1128
Senate Bill No. 605	Senate Bill No. 1129
Senate Bill No. 774	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

DE LAP, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:

Senate Bill No. 57

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 5; absent 4.

DE LAP, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Bill No. 400
Senate Bill No. 944

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

DE LAP, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 17, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Bill No. 32

Senate Bill No. 572

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

DE LAP, Chairman

Above reported bills re-referred to Committee on Finance.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, March 11, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 386

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 6, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 8

Senate Bill No. 100

Senate Bill No. 226

Senate Bill No. 118

Senate Bill No. 203

Senate Bill No. 403

Senate Bill No. 300

Senate Bill No. 1164

Senate Bill No. 41

Senate Bill No. 574

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 389

Senate Bill No. 504

Senate Bill No. 311

Senate Bill No. 505

Senate Bill No. 335

Senate Bill No. 620

Senate Bill No. 604

Senate Bill No. 621

Senate Bill No. 754

Senate Bill No. 618

Senate Bill No. 384

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, March 11, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 397

Senate Bill No. 791

Senate Bill No. 792

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

GORDON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 395

Senate Bill No. 449

Senate Bill No. 396

Senate Bill No. 789

Senate Bill No. 394

Senate Bill No. 790

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

GORDON, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 1243

Senate Bill No. 1442

Assembly Bill No. 1820

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 110

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 7; absent 4.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 26

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to third reading.

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, March 11, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 116

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 11, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 113

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 7; absent 4.

QUINN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor dated March 11, 1947, appointing

REVEREND THOMAS GRICE, as member, Board of Trustees, Camarillo State Hospital, vice Charles F. Blackstock, resigned, for the term four years from date of appointment;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Reverend Thomas Grice as a member of the Board of Trustees, Camarillo Hospital.

The President put the question, "Will the Senate confirm and consent to the appointment of Reverend Thomas Grice?"

The roll was called, with the following result:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—32.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Reverend Thomas Grice, as a member of the Board of Trustees, Camarillo Hospital.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor, dated March 11, 1947, appointing

MRS. BERYL C. REINHARDT, as member, Board of Social Work Examiners, vice Gardner Bullis, resigned, for the term prescribed by law, ending January 15, 1950;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**Motion to Confirm Appointment by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of Mrs. Beryl C. Reinhardt as a member of the Board of Social Work Examiners.

The President put the question, "Will the Senate confirm and consent to the appointment of Mrs. Beryl C. Reinhardt?"

The roll was called, with the following result:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—32.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Mrs. Beryl C. Reinhardt as a member of the Board of Social Work Examiners.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor, dated March 11, 1947, appointing

MRS. RUBY BACIGALUPI, as member, Social Welfare Board, vice Mrs. Bernice Chipman, resigned, for the term prescribed by law, ending January 15, 1950;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Powers moved that the Senate confirm and consent to the appointment of Mrs. Ruby Bacigalupi as a member of the Social Welfare Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Mrs. Ruby Bacigalupi?"

The roll was called, with the following result:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Deuel, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Mrs. Ruby Bacigalupi as a member of the Social Welfare Board.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred: Senate Bill No. 1161

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend. and re-refer to the Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Senate Bill No. 192

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

DILLINGER, Chairman

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Senator Desmond:

Senate Resolution No. 61

WHEREAS, Section 18850 of the Civil Service Act requires that the State Personnel Board establish salaries for state employees as follows:

"The board shall establish and adjust salary ranges for each class of position in the state civil service. The salary ranges shall be based on the principle that like salaries shall be paid for comparable duties and responsibilities. In establishing or changing such ranges consideration shall be given to the prevailing rates for comparable service in other public employment and in private business, improvement of living standards, the current costs of living, and the State's financial condition"; and

WHEREAS, The State Personnel Board adjusted the salaries of state employees, in accordance with said provisions of Section 18850 as of June 1, 1946, and said adjustments were based on prevailing rates and cost of living data as of that date, even though later granted as a result of appeals; and

WHEREAS, It appears from official figures that the cost of living has increased approximately 15 percent since June 1, 1946; and

WHEREAS, It also appears that other public jurisdictions, such as the City of Los Angeles, the County of Los Angeles and the City and County of San Francisco, as well as a number of private industries, have materially increased the salaries of a large number of employees for classes comparable to those in state service since June 1, 1946, and it is probable that there will be further increases in the salaries for similar employees in the near future, which increases are causing state employees to be paid at salaries substantially below the prevailing rates; and

WHEREAS, Said condition is having and will continue to have an unfavorable effect upon the morale of state employees and is also seriously affecting the efficient functioning of state service because of the inability to obtain and retain competent employees in competition with the higher salaries being paid in other public jurisdictions and private industry; and

WHEREAS, It appears that in order to make appropriate adjustments in salaries of state employees made necessary by increases in prevailing rates and increase in the cost of living since June 1, 1946, it will be necessary for the Legislature to provide additional funds to finance said salary adjustments; and

WHEREAS, There now are bills before the Legislature to provide further funds for adjusting the salaries of state employees; and

WHEREAS, It is necessary in order for the Legislature to take proper action on such bills that it have as complete information as possible on the present status of salaries of state employees and salaries in general; now, therefore, be it

Resolved by the Senate of the State of California, That the State Personnel Board be and is hereby requested to furnish to the Senate of the State of California, not later than by April 15, 1947, a written report on the present status of the salaries of state employees in relation to prevailing rates and increases in the cost of living, together with an analysis of alternative methods and costs of making further salary adjustments for state employees.

Resolution read, and referred to Committee on Governmental Efficiency.

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 26, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 26

Senate Concurrent Resolution No. 26—Relative to making funds available to the Joint Legislative Committee on Agriculture and Live-stock Problems.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Crittenden, Cunningham, Delap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Kraft:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 9100 of the Government Code relating to legislative offices.

Respectfully submitted.

SENATOR FRED H. KRAFT

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 18, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Governmental Efficiency.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 1548: By Senator Kraft—An act to amend Section 9100 of the Government Code, relating to legislative offices.

Referred to Committee on Governmental Efficiency.

Senate Concurrent Resolution No. 27: By Senator Swing—Amending Senate Resolution No. 11 adopted January 7, 1947, relative to the continuance of the Senate Fact-Finding Committee on Fish and Game Problems for Southern California created by Senate Resolution No. 123 of the Fifty-Sixth Regular Session.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 28: By Senator Breed—Relative to approving certain amendments to the charter of the City of San Leandro, a municipal corporation of the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighteenth day of February, 1947.

Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 28, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 28

Senate Concurrent Resolution No. 28—Relative to approving certain amendments to the charter of the City of San Leandro, a municipal corporation of the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighteenth day of February, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Quinn asked for, and was granted, unanimous consent to have the following Partial Report of the Senate Interim Committee on Military and Veterans Affairs printed in the Journal in 10-point type:

**PARTIAL REPORT OF THE SENATE INTERIM COMMITTEE
ON MILITARY AND VETERANS AFFAIRS**

SENATOR IRWIN T. QUINN-----Chairman

SENATOR NELSON S. DILWORTH-----Vice Chairman

SENATOR T. H. DELAP, SENATOR GEORGE M. BIGGAR,*

SENATOR FRANK W. MIXTER,* Members

HONORABLE GOODWIN T. KNIGHT

HAROLD J. POWERS

President of Senate

President pro Tempore

JOSEPH A. BEEK

Secretary of Senate

SENATE CHAMBER, STATE CAPITOL

SACRAMENTO, CALIFORNIA, January 29, 1947

President of the Senate of California

Senate Chamber, State Capitol, Sacramento, California

MR. PRESIDENT: The Interim Committee on Veterans Affairs (S.R. 150, 1945—Continued by S.R. 22, 1947) submits the following Partial Report:

* Term Expired January 6, 1947.

The committee met promptly before leaving Sacramento and organized by choosing Senator Irwin T. Quinn as Chairman and Senator Nelson S. Dilworth as Vice Chairman. The other members were Senator T. H. DeLap, Senator Frank Mixer and Senator George Biggar.

The first hearing held in Los Angeles developed a startling need of more hospital beds in Veterans Administration facilities for disabled veterans in California. The care of the disabled comrades has always been the first concern of every American veteran.

The gravity of the situation was so great and the need of haste so urgent that the committee decided to appeal direct to the President of the United States and forwarded the following resolution by telegram:

Resolution of California State Senate Interim Committee on Veterans' Affairs
SUBJECT: Veterans Hospitals and Facilities

WHEREAS, The California State Senate Interim Committee on Veterans' Affairs has held hearings in San Francisco, on November 5, and in Los Angeles, on November 7, 1945, at which hearings factual evidence pertaining to veterans hospitals facilities in California was presented to the committee by representatives of the Veterans Administration, American Legion, Veterans of Foreign Wars, Service Organizations, and other groups; and

WHEREAS, It was found by the committee, from the facts and evidence, that the present facilities, beds, wards, buildings, and veterans hospitals in California are wholly inadequate to meet the hospital requirements of the discharged veterans of World War II: That a most critical situation now confronts the Veterans Administration and new facilities and beds must be immediately provided in California to prevent chaos and a breakdown in caring for those who come back from the battle fronts, sick, disabled, and broken in health; that from Northern California discharged sick veterans are being sent to Washington and Oregon: That from Southern California they are being sent to Arizona and New Mexico hospitals; that from Los Angeles County some are being sent to San Diego; that there are now more than 100 mental cases in state institutions who should be in veteran hospitals; that there is now not a single bed in San Francisco or Livermore available for tubercular or respiratory cases—only those of the most dire need of treatment can be admitted; that on December 7, 1941 all the veteran hospitals' facilities were filled to capacity, with the exception of the tubercular, by World War I veterans;

That since then only 250 beds have been added, these at Sattelle, Los Angeles; that without question the number of World War II veterans which will require hospitalization will be 5 to 10 times that of World War I; that as a minimum and to immediately relieve the situation, 3,000 beds in Northern California and 5,000 beds in Southern California, must be provided now; that there was inducted from California over 700,000, exclusive of women, and there are in California more than 350,000 discharged veterans from other states, which means that present veteran hospitals and beds are totally inadequate in California; and that California's rehabilitation requirements will be more than 33½ percent above normal;

That there was appropriated by the GI Bill of Rights, in June 22, 1944, \$500,000,000 for the construction of hospitals by the Veterans Administration throughout the United States; that the Veterans Administration and the Federal Board of Hospitalization have not as yet commenced any hospital construction in California to care for the returning veterans who are being discharged from military service; and

That the Army and Navy hospitals, in the training camps, are being discontinued and information has come to this committee that the DeWitt Hospital, at Auburn, Hammond at Fresno, and numerous other Army and Navy hospitals in the south, are being closed; now, therefore, be it

Resolved, That the United States Administrator of Veterans' Affairs and the Federal Board of Hospitalization proceed immediately to furnish in Northern California 3,000 additional beds and in Southern California 5,000 additional beds and the necessary hospital facilities; that these be divided between general and surgical cases, with adequate provisions for treatment of recurrent tropical diseases; for nervous and mental disorders, with adequate infirmary beds; and for the treatment of respiratory infections, such as tuberculosis and other allied diseases, with complete facilities for their care and treatment according to the best approved medical science by adding to present facilities and by establishing new hospitals in suitable places throughout the State of California; and

That to meet immediate needs the Veterans Administration enter into contracts to take over and operate, temporarily, the desirable Army and Navy hospitals that are being discontinued; and be it further

Resolved, That copies of this resolution be sent to the President of the United States, Major General Omar R. Bradley, Director of Veterans' Administration, Federal Board of Hospitalization and to all members of the California delegation in Congress.

Unanimously adopted this seventh day of November, 1945.

IRWIN T. QUINN

Chairman, California State Senate Interim
Committee on Veterans' Affairs

Members of Committee:

HON. GEORGE M. BIGGAR

HON. FRANK W. MIXTER

HON. T. H. DELAP

HON. NELSON S. DILWORTH

The following replies were received:

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET

FEDERAL BOARD OF HOSPITALIZATION,

WASHINGTON 25, D. C., November 21, 1945

Mr. Irwin T. Quinn, Chairman

State Senate Interim Committee on Veterans' Affairs

Eureka, California

MY DEAR MR. QUINN: Acknowledgment is made of your letter of November 14, 1945, enclosing a copy of a communication which

you have sent to General Omar N. Bradley, Administrator of Veterans Affairs, together with a copy of a resolution adopted by the California State Senate Interim Committee on Veterans' Affairs on the subject of veterans' hospitals.

Although we are not in a position at present to advise you specifically as to what will be done in the State of California regarding the need for additional hospital facilities for the care of veterans, we do wish to take this opportunity to assure you that special consideration is being given, at the present time, to the California problem by both the Veterans Administration and the Federal Board of Hospitalization, with a view to providing ample facilities when needed.

We have carefully read the resolution of the State Senate Interim Committee and note its statement concerning the provisions made in the G. I. Bill of Rights for additional hospitals. We should like to point out that while the G. I. Bill of Rights authorized an expenditure of \$500,000,000 for the construction of hospitals by the Veterans Administration throughout the United States, it did not appropriate these funds. Appropriations against the amount authorized are made in successive fiscal years in order to provide for the need for additional beds as that need develops.

Another factor which necessarily must be taken into consideration is that the hospital load developed among the veterans of World War II will not reach its peak until somewhere in the neighborhood of 1975.

Permit me to express our appreciation of the interest shown in this question by the State Senate Interim Committee on Veterans' Affairs.

Very sincerely yours,

B. FRANK BENNETT, Director

VETERANS ADMINISTRATION

WASHINGTON 25, D. C., December 3, 1945

Mr. Irwin T. Quinn, Chairman

*State Senate Interim Committee on Veterans' Affairs
Box 176, Eureka, California*

MY DEAR MR. QUINN: The President has asked me to reply to your letter of November 14, 1945, enclosing the resolution of the California State Senate Interim Committee on Veterans' Affairs, setting forth the need for additional hospital beds in California and urging the utilization of the Army and Navy hospitals now being declared surplus in the states.

We appreciate the interest of the California State Senate with regard to the needs of veterans in that State. The shortage of hospital beds throughout the United States is one which is giving me increasing concern. I am speeding the expansion of existing hospitals, the construction of new hospitals, and the acquisition of such Army and Navy hospitals as are found suitable for conversion to veterans' hospitals. I am working in close cooperation with the Army and Navy with regard to hospitals now being declared surplus. Approximately 60 Army hospitals will be made available within the next

six months. Some of these hospitals are temporary or semitemporary structures without fireproof construction. Many of them are clusters of one-story buildings, difficult to operate with limited personnel. Most of them are far removed from medical centers where the services of medical specialists are available on a part-time basis.

Inasmuch as we do not have sufficient medical and other professional personnel to staff the hospitals needed for our program, we are having to rely on the medical staffs of the communities in which the hospitals are to be located. In the case of the DeWitt General Hospital, there are not enough physicians and other medical personnel within Placer County, or in nearby areas, to supplement the care which we would be able to provide.

At the present time, to meet the acute bed shortage that exists in California, arrangements are being made with the Army and the Navy for the allocation of bed credits at their installations until the conditions can be alleviated.

Sincerely yours,

OMAR N. BRADLEY, General, U. S. Army
Administrator

The results of the above communications have been prompt and the Veterans Administration has approximately met the figures on need presented by our committee. Four thousand three hundred one hospital beds were available in Veterans Administration facilities June 30, 1944, and on October 31, 1946, this number had increased to 8,736 beds in California. In addition 3,388 beds were available in domiciliary homes and 2,384 additional hospital beds had also been made available to disabled veterans in service hospitals and on contract in other qualified hospitals in the State making a grand total of 14,508 beds available in California. These figures have been analyzed in the following tabulations:

Bed Capacity on October 31, 1946
Facilities available to VA in California

VA Hospitals (Nov. 13, 1946)

Livermore -----	452
Los Angeles -----	3,826
Oakland -----	800
Palo Alto -----	1,423
San Fernando -----	394
San Francisco -----	341
Van Nuys -----	1,500
<hr/>	
Total -----	8,736

VA Domiciliary Homes

Los Angeles -----	3,388
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Service, Civil and State Contract Hospitals (non-VA)

Los Angeles Region:	
ASF Regional, Pasadena.....	150
U. S. Naval, Long Beach.....	350
U. S. Naval, Corona.....	200
U. S. Naval, Oceanside.....	200
Civil and State.....	99
San Francisco Region:	
Fort Ord.....	50
U. S. Naval, Oakland.....	750
U. S. Naval, Mare Island.....	225
U. S. Marine, San Francisco (Health Service).....	11
San Diego Region:	
U. S. Naval, San Diego.....	350
Total	2,384
Total, All Facilities.....	14,508

Hospital Beds in California

		<i>Hospital</i>	<i>Home</i>
June	30, 1940.....	4,628	3,032
June	30, 1941.....	4,631	3,346
June	30, 1942.....	4,650	3,346
June	30, 1943	3,833	3,314
June	30, 1944.....	4,301	2,405
June	30, 1945.....	5,139	2,522
June	30, 1946.....	7,284	3,388
November	13, 1946.....	8,736	3,388

Beds Added Since June 30, 1944

July 1944-June 1945

Livermore Hospital.....	54
Los Angeles Hospital.....	768
Los Angeles Dom. Home.....	117
San Fernando Hospital.....	15

July 1945-January 1946

Los Angeles Hospital.....	429
Los Angeles Dom. Home.....	463

Beds Added Since February 1, 1946

April 1, 1946	VA Hospital, Van Nuys, Calif.....	1,500
April 1, 1946	Los Angeles Hospital, Calif.....	63
May 1, 1946	Los Angeles Dom. Home, Calif.....	403
June 1, 1946	Los Angeles Hospital, Calif.....	165
July 1, 1946	Los Angeles Hospital, Calif.....	138
August 1, 1946	VA Hospital, Oakland, Calif.....	800
September 1, 1946	VA Hospital, Los Angeles, Calif.....	124
October 1, 1946	VA Hospital, Los Angeles, Calif.....	391

Following the efforts of the committee and after their recommendations to the Veterans Administration in Washington in November 1945, the federal agency granted almost immediate relief, making available thousands of additional beds and establishing an out-patient program.

Now, as of the date of this report, the hospital facilities available for California more nearly approach the need. However, many of the services are available only in temporary wartime construction and permanent facilities consisting of several thousand beds must be constructed as soon as building materials are again procurable for such purposes. The acute situation at the time the committee went into action has been somewhat relieved. There is in addition a present shortage of several hundred beds for tubercular patients. It is hoped that the Veterans Administration will be able to meet this urgent need some time in 1947.

On June 30, 1946, there were 1,203 United States war veterans receiving care as patients on active record of the state mental hospitals. These veterans have not been able to gain admission to the United States Veterans Administration facilities, nevertheless they must receive hospitalization.

This is one of the reasons that it is so necessary to enlarge our state mental hospitals and over \$60,000,000 has been appropriated and is now available for new construction of patient quarters and facilities.

We understand the federal law prohibits admission of these veterans to Veteran Administration facilities because of the nature or origin of their disability. In the opinion of this committee no good reason exists for exclusion of these veterans from federal care.

California has a vital interest in this situation because the presence of these veterans adds acutely to the congestion in our state mental hospitals. These veterans should be accepted by the Federal Government as their responsibility and we recommend urgent representations to Congress to enact suitable legislation to take care of these veterans.

SERVICE OFFICERS

The front line men on the service to veteran sector are the local service officers. They are delivering to the veteran's doorstep the benefits and services provided by a grateful State and Nation. They must work all day and be on call at night. A successful service officer must be both a diplomat and an executive, and an able talker on his feet. He is in demand at veterans' meetings, union meetings, funerals and Chamber of Commerce dinners and at the strenuous pace demanded he must be in love with his work and devoted to the welfare of those he serves. Finally, he must find time to become a thorough student of all the laws of the United States Veterans Administration.

Only by such service can veteran services be made effective, for the veteran can only be helped in his own community and not at Washington.

VETERAN SURVEY

A survey conducted by the Census Bureau in five areas in California indicated that an average of 27 percent of the married veterans in those sections were living doubled up with relatives or friends, in rented rooms, or other cramped quarters. The sampling, requested by the National Housing Agency, showed 24 percent of the married veterans owned the homes in which they were living, and 49 percent were renting.

In California, the survey covered Los Angeles County, the San Francisco area (including Oakland, Berkeley, and Alameda) the San Diego area, Sacramento, and Fresno. It was estimated 500,000 veterans

of World War II were residing in the six areas at the time of the survey, which was made in July and August.

The most severe overcrowding among married veterans was reported in Sacramento, where the survey indicated 32 percent were living in crowded quarters. Other percentages were: Los Angeles, 28; San Francisco, 27; Fresno, 26; San Diego, 16; and Salt Lake City, 26. Percentages of married veterans owning their homes were: Fresno, 35; Sacramento, 30; San Diego, 28; Los Angeles, 25; San Francisco, 19 and Salt Lake City, 22.

NEWCOMERS TO STAY

The San Diego area led in the proportion of veterans who are newcomers to California, with the survey showing 40 percent of the total number of veterans lived elsewhere before the war. Percentages of immigration for other areas were: San Francisco, 36; Fresno, 28; Los Angeles, 26; Sacramento, 25; and Salt Lake City, 20.

The great majority of the new arrivals plan to stay, according to the survey. Fresno topped the list with 95 percent indicating they intend to remain. Other percentages were: San Francisco, 90; Los Angeles, 89; Sacramento, 88; San Diego, 86; and Salt Lake City, 89.

The investigators found that an average of 58 percent of the veterans in the six areas were married.

HOUSING GREATEST NEED

Statements before our committee and comment in the press of the veteran organizations and in the public press all confirm the belief of the committee that the greatest need of the returned veteran in California is adequate rental housing that can be rented for reasonable prices. Few veterans are ready and in a position to buy homes at this time and the market is most unfavorable.

In addition to the federal rental projects, the construction of private dwellings for rental has been considerable but has been limited by shortage of building materials.

STATE HOUSING ACTIVITY

The State has energetically pursued all means of making available temporary housing by the use of military surplus.

The following is a brief report relating to temporary emergency veterans' housing under provisions of Chapter 29, Statutes of 1946, as amended. Chapter 29 appropriated \$7,500,000 and Chapter 1, Statutes of 1946 (Second Extra Session) appropriated an additional \$2,500,000 for similar purposes.

Under provisions of this act, the Director of Finance may provide funds for temporary housing made available by the National Housing Administrator (Federal Public Housing Authority). The usual procedure has been that FPHA has made buildings available to cities, counties, housing authorities, and districts, and in turn such local agencies have revamped the buildings into dwelling units. Two types of allocations have been made by FPHA—one being called "in quota" and the other being called "out of quota." The largest proportion of units for which local agencies have requested assistance upon the part of the State have been "in quota" units. Under the "in quota" program FPHA dismantles buildings in one locality, and later erects the buildings into

units upon a site prepared by a local agency. Under the "out of quota" program, FPIIA merely provides that a local agency accept buildings at a location designated by FPIIA. It then becomes necessary for a local agency to dismantle such buildings, transport and erect them upon its own site.

The preparation of a site requires installation of necessary utilities such as water mains, sewers and electrical service, together with sidewalks and pavement.

As of January 12, 1947, 60 local agencies have made 111 applications to the State requesting \$7,719,000. Of these applications 32 were made by cities or city housing authorities, 19 by counties or county housing authorities and nine were made by school districts and the University of California.

According to reports from Federal Public Housing Authority, 18,829 dwelling units have been allocated to cities, counties, housing authorities and other public agencies in California. Of these units 6,528 have been completed, leaving 12,301 in various stages of completion. Included within the total number of units, 5,359 were allocated to schools, colleges, and universities of which 2,993 are complete, and 2,366 incomplete.

Since approval of Chapter 29 and its amendments, applications have been made to the State by local agencies such as cities, counties, housing authorities and educational institutions for assistance in the establishment of 11,309 units under this program. Of the 11,309 units FPIIA contracted to erect, 9,372 were upon sites prepared by local agencies with state financial assistance and 1,937 units were allocated without federal financial participation. In these programs the State participates to the extent of not to exceed 90 percent of the non-federal cost of establishing such units. On December 20, 1946, FPIIA issued a "Stop Order" affecting 7,320 units in which the State is participating and a total of 7,520 units requiring state assistance remain incomplete.

At present a balance of \$3,100,000 remains unallocated from the \$10,000,000 appropriation made by Chapter 29 and its amendments, thus several millions more may be needed if the State is called upon to carry forward the entire unfinished "Temporary Emergency Veterans' Housing Program."

VETERAN HOME BUILDING

Private construction by veterans has been greatly advanced by the liberal loans made by the State of California to veterans. By the end of November, 1946, 5,911 World War II veterans had been assisted by state loans to purchase homes to be paid for on monthly payments amortized at 3 percent for up to 20 years. The total principal for these loans was \$31,437,600. We regret to report a ruling in 1946 by the former Attorney General that is unfavorable to the continued exemption from taxation of the interest of the State in these properties. The veteran's equity and possessory interest has always been taxable.

COMMENDATION

National commendation has been given to the State of California for the efficient and helpful operation of the Farm and Home Purchase Acts. We recommend that these functions be not changed at this session

but that their operation be continued with usual care and prudence to protect the fine record of 20 years of solvency.

The financing provided by the Federal G. I. Bill has assisted perhaps an even larger number of veterans to acquire ownership of a California home.

The most encouraging factor is the very great number of veterans who have proceeded to acquire or construct homes on their own initiative with their own resources and without state or federal financing. This is private enterprise in action at its best.

PROTECTION NEEDED

Our hearings exposed a serious abuse suffered by veterans from time to time. They have in large numbers been induced to make a down payment to contractors to secure an opportunity in turn to buy a home as constructed. Evidence shows that those who accepted these payments have in certain cases used these funds in their business, have been improvident or at least unsuccessful and lost the money in unprofitable construction projects leaving the veterans with nothing but a worthless claim against a bankrupt contractor.

Your committee recommends and will present legislation to require holders of state licenses as contractors to place and hold all advance payments to contractors in a trust account separate from their personal funds, until such time as they can be used in a specific project for the party who makes such payments.

INFLATION DANGER

Your committee views with much concern and some alarm the willingness of certain numbers of veterans to buy homes of old construction at inflated values. They are, in too many cases, paying an exorbitant premium for immediate possession of a home.

The basic cause of this deplorable situation is the shortage of building materials and the State cannot by law bring into existence the cement, lumber, and fixtures to construct a modern home. That can only be done by the industry of its citizens. The supply is steadily increasing as postwar industry gets into full production, and a better day is fast approaching.

The committee doubts the wisdom of encouraging veterans to acquire a heavy loan at present inflated prices. Experience has proven that conditions such as we now are in are bound to pass. When that time comes we do not want thousands of veterans carrying loans greatly in excess of the then deflated values of their properties.

The unprecedented influx of veterans from other states has resulted in much acute congestion that would not otherwise have occurred. The industries of California have been able to provide enough housing for our own veterans but the in-rush of veterans of other states, many of them well supplied with funds to over-bid our own veterans, has exceeded available building material supply temporarily. The situation is improving as the supply of building materials and skilled labor grows month by month.

VETERANS EXPLOITED

Information has been given the committee that certain unlicensed parties have collected cash considerations of as much as \$300 from numbers of veterans to do the paper work and negotiate GI loans through financial institutions.

Your committee recommends and will present legislation to require a broker's license by such parties who charge a fee for such services and to limit their charges to the usual and reasonable commission.

EDUCATION

Your committee has heretofore presented a bill for a deficiency appropriation of \$1,308,854.71 for the educational aid to California veterans who are students at our colleges and universities and other schools. We recommend leaving the terms as they are at present. The education of our young veterans is the duty of the Federal Government and it is beyond the financial resources of California to relieve the Federal Government of its responsibility. Our educational aid provisions are only intended to assist worthy veterans who by reason of delay or difficult circumstances are unable to receive federal GI Bill aid.

The committee does urge and recommend greater diligence by both the schools and the state department in clearing the monthly checks to these students. Approximately 4,000 students are being aided in about 125 schools of this State at the present time.

The Estimated Expenditures of the Ninety-eighth Fiscal Year

Administrative Support	\$84,044 00
Student Aid—Veteran	1,914,300 00
	<hr/>
	\$1,998,344 00

Available Funds—

Chapter 45—1946 (Bal. 7-1-46)	\$689,489 29
Deficiency Authorization LD9	200,000 00
Deficiency Authorization LD9.1	150,000 00
Deficiency Authorization (not issued)	958,854 71
	<hr/>
	\$1,998,344 00

Total Expenditures—Ninety-eighth Fiscal Year	\$1,998,344 00
Less Available Appropriated Funds (Ch. 45—1946)	689,489 29

Deficiency Appropriation Required	\$1,308,854 71
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It was determined by test check that of the total enrollments approximately 85 percent were public schools and 15 percent private schools. Tuition cost of private schools estimated at \$125 per semester. Books and supplies estimated at \$25 per semester. Subsistence calculated at \$40 per month per student or \$200 per student per semester.

Estimated cost per student per semester in private school \$350.
Estimated cost per student per semester in public school \$225.

Over 5,000 applications for educational assistance have been received, and since May 21, 1946, when the benefits of both farm or home and education were made available, many veterans immediately requested the benefits of both acts.

Our records indicate that during the fall semester we have students enrolled in over 100 schools within the State of California. Practically every locality of the State is represented by enrollees who are participating in the benefits of the California Veterans' Educational Institute Act.

Due to the heavy percentage of present enrollments in the professional field, it is estimated that at least 83 percent will utilize the maximum benefits of the act.

Of the total veterans enrolled in colleges, universities, and trade or business schools, approximately 83 percent are majoring in a professional field such as medicine, law, engineering, dentistry and education; approximately 11 percent in the semi-professional field, such as business administration, journalism, forestry, and agriculture; the remaining 4 percent are majoring in arts and trades, such as commercial art, photography and radio, and 2 percent finishing high school.

Of the large percentage of student veterans in the professional field, engineering and medical students top the list, with approximately 35 percent of the total enrollees in each field. Law and dentistry are next in line. It is clear that because of the length of time required for schooling in these professions, the veteran will unquestionably utilize all funds provided by the act, a maximum of \$1,000, and will then avail himself of the benefits under Public Laws No. 16 and No. 346. Likewise, there is a considerable proportion of student veterans who are now using federal aid that will eventually seek state aid to finish training beyond the maximum provided by public law. Therefore, the California Veterans' Educational Institute program will be attractive to the veterans for some years to come, and it will be necessary for the State to provide sufficient funds to fulfill the future educational needs of the California veteran.

The following observations are based on a partial survey, of a projected state-wide survey by this division, in connection with routine interviews during September and October with school administrators, and with the veterans themselves, in universities, colleges, junior colleges and secondary schools, both public and private, in Northern California.

The larger colleges, universities, and junior colleges employ full-time veterans' coordinators, often former student counselors, who advise veterans as to their educational plans and problems and through whom it is possible to clear California Veterans' Educational Institute problems and secure maximum cooperation on the part of the school administratively.

These schools are aware of the vital part played by California Veterans' Educational Institute assistance in supplementing educational aid provided by Public Laws No. 16 and No. 346.

These schools were unanimous in stating that veterans enrolled are either making "fine records" scholastically, or are making "records averaging above the general grade average." Unexcused absences were found to be at a minimum compared with non-veteran student records.

The number of veterans in California who may become eligible for educational aid is variously estimated up to 250,000. A heavy financial load for the State is inevitable for many years.

DEPENDENTS

In addition to returning veterans the State extends educational aid to the dependents of those service men who sacrificed their lives and did not return.

The following activities are reported for the month of October, 1946.

Widows	
Present Enrollment.....	106
Cases Pending Enrollment.....	100
Cases Closed or Deferred, After Enrollment.....	57
Cases Closed or Deferred, Before Enrollment.....	55
<hr/>	
Applications Received Since Effective Date of Law.....	318
War Orphans	
Present Enrollment.....	120
Cases Pending Enrollment.....	24
Completed or Deferred, After Enrollment.....	1,059
Cases Closed or Deferred, Not Enrolled.....	279
<hr/>	
Applications Received Since Effective Date of Law.....	1,482
Total Enrollments to Date.....	1,179

Of the total dependents enrolled in colleges, universities, trade or business schools, approximately 46 percent are majoring in general subjects, such as English, History, Languages, Social Sciences, Liberal Arts, etc., while some are majoring for teaching credentials. Approximately 34 percent of the total enrolled are majoring in trades or business training such as Cosmetology, Merchandising, Secretarial, Advertising, etc. The remaining 20 percent are majoring in professional and semi-professional fields, such as Medicine, Nursing, Chemistry, Engineering, Art, and Music.

The attendance reports indicate a minimum of "unexcused" absences and the grades are generally above the average required for passing in the respective schools. Consequently, there has been very little cause for adjustment with the student, for the past semester.

In the educational aid provided for the children of service men killed in the armed services during the war, we have found an urgent need to include children adopted by the deceased service man before his entry into the military service of his Country. Such a bill is being presented.

ADMINISTRATION

Probably legislative action will be necessary after careful consideration of proposals to clarify the *respective zones* of authority of the Director of the Department of Veterans Affairs and the Veterans' Board, the department is requesting consideration of this matter at the Regular Session.

DEFINITION OF "VETERAN"

A uniform definition of "veteran" in the various laws is desirable and needed for a better understanding and more efficient administration of the state services. Your committee will recommend one definition to include all wars and to include only those who have served under enlist-

ment or induction in the armed services. This situation has been much confused by an opinion rendered in 1946 by the Attorney General.

Persons free to quit at their own choice and time, do not qualify as war veterans, however meritorious their personal conduct has been.

The time has now arrived for the Legislature to decide on a date for the termination of the period in which a person's service acquires veteran status.

SOLICITATION FRAUDS

The use of the name "veteran" for solicitation purposes has been greatly abused. Fly-by-night and irresponsible names of supposed veteran organizations have often been used to secure large sums of money from charitably disposed business firms and individuals, by persons who may be or may not be veterans. Funds solicited for the benefit of "Veterans" or "Veteran" Organization should be used strictly for the benefit of "Veterans" or "Veteran" Organizations. Misappropriation of these funds by others or for others should be punishable and a bill for this purpose is being submitted.

It appears desirable that the State require a registration of organizations soliciting funds for veterans. Observance of city ordinances should be preserved.

Following the population pattern of the First World War we may reasonably expect a veteran population of 2,000,000 in California by 1960. Veterans are continuing to migrate to California from all parts of the United States, and even from Alaska and Hawaii, the Veterans Administration reports.

A spot survey conducted by the VA in its San Francisco Office from October 26th to November 4th showed that of 2,700 veterans questioned, 1,254 hailed from every state in the Union except Vermont, and planned to make their homes in California. Approximately 1,400 were native Californians.

Only 46 of the former GI's were undecided as to whether they would remain here or try their luck elsewhere.

REEMPLOYMENT

The time limits in the various reemployment statutes may well be standardized at one year from discharge.

By means of excluding from state civil service examinations all applicants without certain years of experience, the Personnel Board is effectually barring most veterans from competition to prove their qualifications and ability. The committee's objection to the experience requirements is that a veteran who was inducted into the service in 1940 or 1941 and served until the end of the emergency would never have had an opportunity to fulfill these requirements due to the fact that while he was serving in the Orient or Europe, it was impossible for him to gain the experience set forth. Assuming a veteran was inducted while in high school or in college, and, in the course of the ensuing service of the Country, became married, and has now returned to civilian life and wishes to go into state service, he is completely barred from demonstrating his actual ability by taking an examination.

We feel that a veteran must have the ability to carry out the assignments in state service but it does seem unfair to entirely rule him out of

the possibility of demonstrating his ability. We feel that the veterans should at least be given a chance to take the examination, and the fact that they have not gained the experience set forth in the specifications is not their fault but can only be blamed on the fact that they were in the service. This is not an attempt to force unqualified veterans or men without ability upon the State. It is merely saying that the veteran must be given a chance to prove his ability without being so ruled out.

Veterans preference for employment in the civil service of the State has been further handicapped by a ruling of the Attorney General in 1946 and the intention of the Legislature needs to be emphatically reaffirmed in unmistakable terms.

Veterans who were unable to accept appointments tendered them by the Highway Patrol, because at the time of appointment they had entered military service, deserve an opportunity to accept a new tender of appointment as vacancies occur.

Veterans who have, in the military service, received training and practice in the various trades such as barbers, should receive credit, for this experience toward reducing the required time of apprenticeship. Over twelve hundred veterans monthly entered into apprenticeship agreements in the summer just past.

Veterans seeking to obtain permits as public accountants have been prevented from obtaining them by a further unfavorable opinion from the former Attorney General. Further legislation will be presented to clear away present obstacles.

In far too many cases returning veterans find stay at homes intrenched in occupations and trades behind a legal barricade that is either insurmountable or requires exasperating months or years of delay to the veteran in taking up his chosen vocation. Veterans should not be prevented from going to work in the occupation of their choice except for the requirement of a minimum of necessary qualification.

NATIONAL GUARD

The State Guard is being demobilized as rapidly as the new National Guard can be activated. Appropriations should be made for necessary armories, for administration and storage facilities only, in line with the latest National Guard legislation.

Bills will be presented to set up the California National Guard in conformity with the recent federal legislation and present military needs.

STATE HOME

The California Veterans Home at Yountville is seeking congressional legislation to increase the federal allowance for care of disabled veterans in the home, and also to grant a higher priority for purchase of surplus government property.

Several members of the California Congressional Delegation have offered to sponsor such legislation, and Colonel Nelson M. Holderman, Commandant of the Home, has contacted officials of 27 other states having veterans' homes. The California Legislature, along with the law-making bodies of the other states involved, has adopted resolutions recommending action by Congress.

Colonel Holderman explained that the Federal Government now allows only \$300 per year for each veteran, for care in state homes, whereas

the cost of such care has increased greatly in the past few years and now averages \$935 per capita in the Yountville Home.

A proposal submitted to the last session of Congress proposed an increase from \$300 to \$500 and also that the aid would be payable from the date of a veteran's admission if he is subsequently determined to be eligible for care in a Veterans Administration facility. No action was taken on the measure however.

A higher priority for surplus purchases is asked on the grounds that the Yountville Home provides housing and hospital care for veterans who otherwise would be an additional burden on federal facilities, and therefore should be given a rating equal to that given the Veterans Administration.

Appropriations of \$2,254,000 have been made available by the Legislature for new construction at the State Veterans Home.

Some period of residence in California is needed for determining eligibility for admission to the Woman's Relief Corps Home at Santa Clara.

VETERAN REPRESENTATION

Veterans should be represented by appointed veteran representatives on the membership of the California Employment Stabilization Commission, and State Personnel Board.

The program of the State of California for assistance to veterans is being well administered. Our laws are being used as a model for other states. As hereinbefore noted certain minor clarifications are needed, but the main provisions should be continued as they are now operating. Legislation is recommended to carry out the former intention of the Legislature that has been the subject of unfavorable opinions by the former Attorney General.

As the session progresses suitable bills will be submitted by the committee and a final report prepared at an early date.

In addition to the \$90,000,000 bond issue for purchase of homes for sale to veterans, there have been the following appropriations:

Educational Assistance to Veterans

Appropriations—

Chapter 627, Statutes 1943, balance available for current biennium	\$233,942 00
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Chapter 45, Statutes 1946 First Extraordinary Session..	750,000 00
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Deficiency authorizations—

Executive Order LD 9, Chapter 45, Statutes 1946 First Extraordinary Session	200,000 00
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Executive Order LD 9.1, Chapter 45, Statutes 1946 First Extraordinary Session	150,000 00
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Executive Order Additional Request, Chapter 45, Statutes 1946 First Extraordinary Session.....	958,854 71
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1947 Deficiency Educational Assistance to Veterans Dependents

Appropriations—

Chapter 1452, Statutes 1945, increases allocations from the State Lands Act Fund from \$50,000 per year to \$150,000 per year for education of veterans dependents—a total for the biennium of	\$300,000 00
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Veterans Readjustment Education

Appropriations—

Chapter 50, Statutes 1946 First Extraordinary Session... \$50,000 00

Veterans Apprenticeship Training (Department of Education)

Appropriations—

Chapter 48, Statutes 1946 First Extraordinary Session... \$75,000 00

Veterans Housing

Appropriations—

Chapter 46, Statutes 1946, First Extraordinary Session \$250,000 00

Chapter 29, Statutes 1946, First Extraordinary Session 7,500,000 00

Chapter 1, Statutes 1946, Second Extraordinary Session 2,500,000 00

Chapter 145, Statutes 1946, First Extraordinary Session—

Public Works Board allocated funds for Veterans Housing at Colleges

Provided by—

Executive Order No. 1844, Chico State College 30,500 00

Executive Order No. 1845, Humboldt State College ----- 20,000 00

Executive Order No. 1846, Fresno State College 20,000 00

Executive Order No. 1847, San Jose State College 20,000 00

NOTE:

1. Chapter 15, Statutes 1946, First Extraordinary Session ----- \$4,000,000 00

This appropriation was made for construction, furnishing and equipment of student housing at state colleges. While not specifically for veterans as such this housing would aid the veteran since most of the increase in student enrollment at the colleges has been due to return to civilian life of service men and women.

2. In addition the following amounts were appropriated to the Veterans Home of California for construction :

Appropriation—

Chapter 127, Statutes 1946, First Extraordinary Session ----- \$820,000 00

Chapter 133, Statutes 1946, First Extraordinary Session ----- 300,000 00

Chapter 145, Statutes 1946, First Extraordinary Session ----- 2,400,000 00

The State of California has a record of which it may well be proud for intelligent and generous laws to aid veterans in re-establishing themselves in the communities of their choice.

Respectfully submitted.

IRWIN T. QUINN, Chairman

NELSON S. DILWORTH, Vice Chairman

T. H. DELAP

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 298—An act to amend Section 6 of an act entitled "An act to create an Agricultural Research Study Committee, provide

for its powers and duties, and making an appropriation," approved March 12, 1946, relating to the Agricultural Research Study Committee.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 387—An act to amend Section 307 of the Agricultural Code, relating to meat.

Bill read second time.

Motion to Amend

Senator Gordon moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 27, of the printed bill, after "cured," insert "or", and strike out "or ground".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 660—An act to amend Section 6 of an act entitled "An act to promote the welfare of the poultry industry of the State of California; to encourage the breeding of poultry stock through public testing and demonstration of the results of superior breeding, and to make an appropriation," approved July 22, 1939, relating to the Poultry Improvement Commission.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 662—An act to amend Section 1 of an act entitled "An act to promote the welfare of the poultry industry of the State of California; to encourage the breeding of poultry stock through public testing and demonstration of the results of superior breeding, and to make an appropriation," approved July 22, 1939, relating to the Poultry Improvement Commission.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 741—An act to amend Sections 1083, 1083.3, 1083.5, 1089, and 1091 of the Agricultural Code, relating to commercial feeding stuffs.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 742—An act to add Section 1066.1 to the Agricultural Code, relating to economic poisons sales.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 755—An act to amend the title of, and Sections 1 to 6, inclusive, of "An act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, relating to removal of weeds and rubbish.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 661—An act making an appropriation to the Poultry Improvement Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, after "of", insert "thirty thousand".

Amendment No. 2

On page 1, line 4, of the printed bill, after "(\$", insert "30,000".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 462—An act to amend Section 132.5 of the Agricultural Code, relating to the control of pests on property belonging to or under the control of public agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "or any local governmental agency".

Amendment No. 2

On page 1, line 11, of said bill, strike out "form", and insert "from".

Amendment No. 3

On page 1, line 14, of said bill, strike out "head or governing", and insert "director or other executive officer".

Amendment No. 4

On page 1, line 15, of said bill, strike out "body".

Amendment No. 5

On page 1, line 19, of said bill, strike out "funds", and insert "maintenance fund or from other funds for the support".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 743—An act to add Section 1066.6 to the Agricultural Code, relating to sodium fluoroacetate.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, between lines 11 and 12, insert

"(c) Persons duly licensed as structural pest control operators under the provisions of Chapter 14, Division 3, Business and Professions Code, may possess said compound for use in their business after having applied for and received a permit from the director to possess and use same. Such permit shall only be issued upon showing by the applicant of a full knowledge and understanding of the nature, proper methods of use, and hazards attending the use of such compound, and such permit shall be subject to revocation, after hearing, upon failure of the permittee to comply with the conditions set forth in the permit."

Amendment No. 2

On page 1, line 12, of said bill, strike out "(c)", and insert "(d)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 324—An act to amend Sections 16500, 16501, 16503, 16508, 16521, 16523, 16531, and 16533 of the Government Code and to repeal an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, and an act entitled "An act providing for the designation of money in the State Treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, relating to the deposit of state funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the first "and".

Amendment No. 2

In the title of the printed bill, following "16533", insert a comma and "16562, and 16581".

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of the printed bill, following line 41, insert

"SEC. 10. Section 16562 of said code is amended to read:

16562. The contracts covering active state deposits shall provide that each depositary shall at the end of each month render to the Treasurer a statement [in duplicate] of the account showing the date of deposits, payments or withdrawals therefrom made during the month and the balance or amount of money of the State held by it as at the close of the monthly period. In the event that such active deposits are interest bearing, the contract also shall provide that the depositary shall also at the close of each month furnish a statement in triplicate, showing the daily balances or amount of money of the State held by it during the month and a separate statement in triplicate showing the amount of interest due thereon [separately,] together with the payment of the interest due. [The Treasurer shall file one copy with the Controller.]

The contracts covering inactive or interest bearing term deposits shall provide that the interest to be paid by the depositary bank shall be paid upon the expiration of the certificate or certificates of deposit issued by the bank as a part of the contract, and in any event, at least semiannually. The contract governing inactive deposits shall also provide that the amounts of interest shall be reported by the depositary bank at the time of payment of the interest, by statement in triplicate showing the balances or amounts of money of the State held by it during the period and the amount of accrued interest thereon.

SEC. 11. Section 16581 of said code is amended to read:

16581. The amount of interest, if any, due on active deposits shall be reported by the depositary bank at the time of payment of the interest by a statement in triplicate, showing the daily balances or amount of money of the State held by it during the [period] month and a separate statement in triplicate showing the amount of [the accrued] interest due thereon.

The amounts of interest on inactive deposits shall be reported by the depositary bank at the time of the payment of the interest by a statement in triplicate showing the balances or amounts of money in the State held by it during the period and the amount of accrued interest thereon.

Two copies of [both] the statements shall be delivered to the Treasurer with the interest payments and the third copy shall, at the same time, be delivered [by the depositary bank] directly to the Controller."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1155—An act relating to the disposition of moneys received by the State Controller as restitutions from former recipients of unemployment relief under the California Unemployment Relief Act of 1935, abolishing the State Controller SRA Restitutions Fund and transferring the balance therein to the General Fund, and repealing an act entitled "An act creating a special fund in the State Treasury for the deposit of restitutions received by the State from former recipients of relief under the provisions of the 'California Unemployment Relief Act of 1935,' making a transfer of funds to this fund, making an appropriation to the State Controller for continued collection of restitutions, to take effect immediately," approved January 31, 1943.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 132—An act to amend Section 111 of the County Employees Retirement Act of 1937 and Section 31671 of the Government Code, relating to compulsory retirement, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 117—An act to amend Section 4105 of the Political Code and Section 29821 of the Government Code, relating to registered warrants.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 318—An act to amend Section 13373 of the Government Code, relating to the Purchasing Revolving Fund.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 319—An act to amend Sections 13640 and 13643 and to repeal Sections 13642, 13644, and 13645 of the Government Code, relating to state printing funds.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 323—An act to amend Section 19431 of the Business and Professions Code, relating to the general office of California Horse Racing Board.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 352—An act to add Section 13943.5 to the Government Code, relating to the collection of taxes, licenses, fees, or other money.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 364—An act to amend Section 13942 of the Government Code, relating to authorizations by the State Board of Control discharging state agencies from accountability for the collection of taxes, licenses, fees, or other money.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 365—An act to add Section 13145 to the Government Code, relating to refunds.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 778—An act adding Sections 31204 and 31205 to the Government Code, relating to retirement.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 833—An act providing for the transfer to the Department of Education of exclusive jurisdiction and control over certain lands.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 587—An act to amend Section 21658 of the Water Code, relating to nomination of candidates for offices in irrigation districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 589—An act to amend Section 22727 of the Water Code, relating to verified claims for damages.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 609—An act to add Section 20570 to the Water Code, relating to irrigation districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1298—An act to add Section 18 to the County Water Works District Act, relating to the government of county water-works districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 28—An act to add Section 578a to the Probate Code, relating to compromises and settlements by executors or administrators of claims, rights of action and actions for death or injury by wrongful act.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

Immediately following line 17 of the printed bill, as amended in the Senate on February 4, 1947, insert

"To obtain such approval or authorization, the executor or administrator shall file a verified petition with the clerk showing the amount of money proposed to be paid. The clerk shall set the petition for hearing by the court and give notice thereof by causing a notice to be posted at the courthouse of the county where the petition is filed. Such notice must be given at least 10 days before the hearing. The clerk shall also cause notice to be mailed, postage prepaid, to the heirs of the decedent as named in the petition for letters of administration or letters testamentary, at least 10 days before the hearing, addressed to them at their respective post-office addresses as set forth in said petition."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1488—An act to amend Section 542 of the Code of Civil Procedure, relating to attachment of personal property in respect to the deposit of expenses of taking and safe-keeping.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 4, line 17, of the printed bill, strike out "30", and insert "15".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 49—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1227—An act to add Section 2501a to the Civil Code, relating to certificates of limited partnerships.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 112—An act to amend Section 204a of the Code of Civil Procedure, relating to the appointment of jury commissioners.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 119—An act to amend Section 674 of the Code of Civil Procedure, relating to the extinction of liens by staying enforcement of judgments or decrees on appeal.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 120—An act to amend Section 2957 of the Civil Code, relating to mortgages.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 127—An act to amend Section 4237.1 of the Political Code and Section 28108 of the Government Code, relating to salaries of phonographic reporters in counties of the eighth class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 825—An act to amend Section 337 of the Code of Civil Procedure, relating to the time of commencing civil actions.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1313—An act to amend Section 1233 of the Probate Code, relating to rules of pleading and practice in judicial proceedings.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 306—An act to amend Section 1107 of the Code of Civil Procedure, relating to service of applications for prerogative writs.

Bill read second time, ordered engrossed, and to third reading.

REPORTS OF STANDING COMMITTEES**Committee on Rules****Appointment of Committee on Conference**

MR. PRESIDENT: The Committee on Rules announces the appointment of Senators Bush, Dinginger, and Judah as a Senate Committee on Conference concerning Assembly Bill No. 747 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES

Powers, Chairman

ADJOURNMENT

At 2.42 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Wednesday, March 19, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

TWENTY-SIXTH LEGISLATIVE DAY

SEVENTY-THIRD CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, March 19, 1947

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Weybret, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Misses Veva Brown and Pearl Sifford, Advisers, and the following members of the Stockton Chapter of the California Scholarship Federation: Judith Alles, Margaret Alley, Anna May Banovitch, T. S. Barton, Mary Ann Blair, Lilly Blickle, Dorothy Bonnifield, Harold Burch, Eloise Busalachi, Sidney Carlin, Lesley Clark, Frances Colliver, Marcia Coblentz, Leotomae Crocco, Allen N. Croft, Frank Culver, Betty Sue Curtis, Marian Danska, Joy De Ferrari, Nancy Lee Denton, Bob Driggs, Eugene Early, Beverly Fetsch, Francis Filippini, Shirley Flaningam, Lida Diane Foulkes, Loismae Garibaldi, Marilyn Graffis, Jack Graham, Mary Lee

Halford, Janice Hammond, Pat Hardesty, Margaret Harrison, Audrey Higdey, Patricia Holliger, Marian Hoskins, Burley Howe, Marilyn Ilgenfritz, Dixie Ingram, Carolynne Isaacson, John Jenkins, Mary Helen Keppel, Helen Kessel, Zoe King, Diane Korbholz, Merrill Krout, Shirley Lee, Annie Louie, Betty Lucas, Mildred McKay, Mary Ng, Donna Odell, Peggy Pickering, May Passadore, Eva Peters, Maxine Pounds, Doris Reed, Doris Ritchie, Aldo Rossi, Thelma Ruff, Joan Schediwy, Mary Jo Schwartz, Bill Solomon, Alan Talt, Janet Thienes, Anne Toy, Joan Von Berg, Jack Waldron, Ben Waller, Patricia Mae Wong, and Marion Young.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Warren T. Smith, Mr. Floyd S. Nelson, Mr. O. L. Baker and Mr. Joseph T. O'Shaughnessy, all of Madera.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Mulkey, Vice Principal, Miss Coomb, Teacher, and the following students of the Fremont Union High School, Sunnyvale: Mr. Baxter, bus driver, Keith Adamson, Madeline Alves, George Pauline, Phil Bettencourt, Silvio Borello, Carmen Canton, Angela Cassulo, Mary Castagnolo, Maxine Caviglia, Lucille Di Leonardo, Robert Drysdale, Glenn Foreman, David Frembling, Joyce Frembling, Betty Friley, Jo Ann Huber, Marilyn Maas, Nick Mariani, Josie Martin, William McFadden, Peter Mesa, Jon Mintz, Bob Morris, Jimmie Myers, Yvonne Nave, Mary Padilla, Charles Passantino, Frank Perez, Alice Poso, Elaine Ravalin, Pauline Radoni, Dorothy Ross, Antonette Sanchez, Kiyoko Shinke, Elmer Silveria, Eugene Silvers, Milan Soso, Don Soule, Jewyl Stowell, James Tanous, Retha Tibbitts, Murle Trichel, Edward Vallotton, Frances Yglesias, Edna Link, Betty Vanderbeck, and Emery Mintz.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Grover C. Shannon and Mr. Samuel Shannon, both of Yuba City.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Rollins MacFadyen, State Chairman, Veterans Housing Committee, of Los Angeles; Mrs. Fred Bixby of Long Beach, and Dr. E. W. Jacobsen, President of the Los Angeles City College, Los Angeles.

On request of Senators Tenney and Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. H. O. Davis of Riverside.

On request of Senators Tenney and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Edward Hooper of Oakland and Mrs. John F. Johnston of Berkeley.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. H. W. Huxtable of Modesto.

On request of Senator Carter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Isidore G. Needleman of New York.

On request of Senators Swing and Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. James A. Guthrie, publisher of the San Bernardino Sun, San Bernardino.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Mildred Saum, Mrs. Philip Levin, Mrs. Joseph C. Sharp, Mrs. Molly Minudri, Mrs. H. Newbaugh, Mrs. Spiro, Mrs. M. Grabstein, Mrs. Cranfield, Mrs. L. Mooser, Mrs. R. Oppenheim, Mrs. Gordon, Mrs. J. Anthony, Mrs. Daniel Del Carlo, Mrs. Ryan, Mrs. Elizabeth Smith, Mrs. Frances Braun, Mrs. Ada Dodge, and Mrs. James Anderson, all of San Francisco.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 26

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By C. W. QUEALE, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 616

Assembly Bill No. 719

Assembly Bill No. 725

Assembly Bill No. 718

Assembly Bill No. 720

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By C. W. QUEALE, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 48

Assembly Joint Resolution No. 5

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 616—An act to amend Section 12040 of the Government Code, relating to the membership of the Governor's Council.
Referred to Committee on Governmental Efficiency.

Assembly Bill No. 725—An act to add Sections 3078.3 and 3475 to the Welfare and Institutions Code, relating to restoration of aid to the blind after discontinuance thereof.

Referred to Committee on Social Welfare.

Assembly Bill No. 720—An act to add Section 3084.1 to the Welfare and Institutions Code, relating to aid to the needy blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 719—An act to add Section 3474.1 to the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 718—An act to add Section 3088.1 to the Welfare and Institutions Code, relating to aid to the needy blind.

Referred to Committee on Social Welfare.

Assembly Concurrent Resolution No. 48—Relating to the establishment of a state park on Angel Island in San Francisco Bay.

Referred to Committee on Rules.

Assembly Joint Resolution No. 5—Relative to on-the-job training for veterans.

Referred to Committee on Military and Veterans Affairs.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 49

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 49—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal special election held therein on the eleventh day of March, 1947.

Request for Unanimous Consent

Senator Kraft asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 49, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 49

Assembly Concurrent Resolution No. 49—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal special election held therein on the eleventh day of March, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Dillinger, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 26

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 49	Senate Bill No. 587
Senate Bill No. 112	Senate Bill No. 589
Senate Bill No. 117	Senate Bill No. 609
Senate Bill No. 119	Senate Bill No. 660
Senate Bill No. 120	Senate Bill No. 662
Senate Bill No. 127	Senate Bill No. 741
Senate Bill No. 132	Senate Bill No. 742
Senate Bill No. 298	Senate Bill No. 755
Senate Bill No. 306	Senate Bill No. 778
Senate Bill No. 318	Senate Bill No. 825
Senate Bill No. 319	Senate Bill No. 833
Senate Bill No. 323	Senate Bill No. 1155
Senate Bill No. 352	Senate Bill No. 1227
Senate Bill No. 364	Senate Bill No. 1298
Senate Bill No. 365	Senate Bill No. 1313

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 28	Senate Bill No. 462
Senate Bill No. 324	Senate Bill No. 1488
Senate Bill No. 387	

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, March 6, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 59
Senate Bill No. 60
Senate Bill No. 114

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 1420	Senate Bill No. 676
Senate Bill No. 445	Senate Bill No. 674

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

GORDON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 946	Senate Bill No. 675
Senate Bill No. 947	Senate Bill No. 677
Senate Bill No. 448	Senate Bill No. 678
Senate Bill No. 492	Senate Bill No. 982
Senate Bill No. 617	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

GORDON, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 344

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS****Senate Bill No. 58**—An act to amend Sections 85 and 86 of the Fish and Game Code, relating to districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 605—An act to add Section 4436 to the Public Resources Code, and to repeal Chapter 1496 of the Statutes of 1945, relating to forestry, providing for the development and maintenance of the Mountain Home Tract Forest.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 774—An act to amend Section 6966 of the Public Resources Code, relating to payment of royalties to the State for extraction of minerals from public lands.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1128—An act authorizing the Director of Natural Resources, with the approval of the State Park Commission, to convey by quitclaim deed to Central Pacific Railway Company, a corporation, a certain parcel of land in Castle Crag State Park, County of Shasta, State of California, in exchange for a quitclaim deed from said railway company to the State of a certain parcel of land in the County of Sonoma, State of California.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1129—An act authorizing the Director of Natural Resources, with the approval of the State Park Commission, to exchange certain lands in the County of Santa Cruz, State of California.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 400—An act to authorize the Director of Finance to convey or exchange certain real property in the County of San Luis Obispo.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 15, 16, and 17, and insert "In exchange therefor, either as partial or total consideration as the Director of Finance may determine, the Director of Finance may accept on behalf of the State, a quitclaim from Southern Pacific Railroad Company as to all of".

Amendment No. 2

On page 1 of the printed bill, following line 21, insert

"Sec. 2. The Director of Finance is hereby authorized and empowered to sell and convey on behalf of the State of California and upon such terms and conditions as he deems for the best interests of the State the following real property located in the County of San Luis Obispo, State of California:

Lots 4 and 15 in Block 68 of Atascadero Colony, in the County of San Luis Obispo, State of California, according to the Amended Maps, Sheet No. 99A, and Sheet No. 99B, filed July 6, 1915 and July 21, 1916, in the office of the county recorder of said county."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 944—An act to amend Sections 6401 and 6402 of the Public Resources Code, and to add Section 6403 thereto, relating to the reservation of oil, gas, and mineral rights in state lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

Amendment No. 1

On page 1, line 15, of the printed bill, after "basis", insert "and except as otherwise provided by law".

Amendment No. 2

On page 2 of said bill, between lines 28 and 29, insert

"(c) Lands acquired by the State under the provisions of the Streets and Highways Code and sold or exchanged pursuant to the provisions of Section 104.5 thereof."

Amendment No. 3

On page 2 of said bill, strike out line 29, and insert

"(d) Lands which have escheated to the State or which have been distributed to the State by court decree in estates of deceased persons."

Amendment No. 4

On page 2 of said bill, between lines 29 and 30, insert

"(e) Lands which have escheated to the State under the provisions of an act entitled 'An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith,' submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, as amended."

Amendment No. 5

On page 2, line 30, of said bill, strike out "(d)", and insert "(f)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 386—An act to amend Section 4268 of the Political Code and Section 28139 of the Government Code, relating to compensation for public services in counties of the thirty-ninth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 1, line 6, of the printed bill, after "auditor," insert "one thousand eight hundred dollars".

Amendment No. 2

On page 1, line 7, of said bill, strike out "(\$-----)", and insert "(\$1,800)".

Amendment No. 3

On page 1, line 8, of said bill, after "attorney," insert "four thousand six hundred dollars".

Amendment No. 4

On page 1, line 9, of said bill, strike out "(\$-----)", and insert "(\$4,600)".

Amendment No. 5

On page 1, line 18, of said bill, after "supervisor," insert "one thousand eight hundred dollars".

Amendment No. 6

On page 1, line 19, of said bill, strike out "(\$-----)", and insert "(\$1,800)".

Amendment No. 7

On page 1 of said bill, strike out line 22, and insert "fifty dollars (\$50) per month in any one month."

Amendment No. 8

On page 2, line 19, of said bill, after "auditor," insert "one thousand eight hundred dollars".

Amendment No. 9

On page 2, line 20, of said bill, strike out "(\$-----)", and insert "(\$1,800)".

Amendment No. 10

On page 2, line 21, of said bill, after "attorney," insert "four thousand six hundred".

Amendment No. 11

On page 2, line 22, of said bill, strike out "(\$-----)", and insert "dollars (\$4,600)".

Amendment No. 12

On page 2, line 30, of said bill, after "supervisor," insert "one thousand eight hundred dollars".

Amendment No. 13

On page 2, line 31, of said bill, strike out "(\$-----)", and insert "(\$1,800)".

Amendment No. 14

On page 2 of said bill, strike out line 33, and insert "not to exceed fifty dollars (\$50) per month in any one month."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 8—An act to amend Section 4249 of the Political Code and Section 28120 of the Government Code, relating to compensation for public service in counties of the twentieth class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 226—An act to amend Section 10 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to compensation of elective officers of cities, declaring the urgency hereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 203—An act to amend Section 4247 of the Political Code and Section 28118 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 300—An act to amend Section 4265 of the Political Code and Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 41—An act to amend Section 4253 of the Political Code and Section 28124 of the Government Code, relating to the compensation for public service in counties of the twenty-fourth class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 100—An act to amend Section 4257 of the Political Code and Section 28128 of the Government Code, relating to compensation for public services in counties of the twenty-eighth class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 118—An act to amend Section 4041.2 of the Political Code, and Section 25252 of the Government Code, relating to county funds.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 403—An act to amend Section 5 of the Housing Authorities Law, relating to appointment and compensation of commissioners.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1164—An act to add Section 9203.5 to the Public Resources Code, relating to elections in soil conservation districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 574—An act to amend Section 4251 of the Political Code and Section 28122 of the Government Code, relating to compensation for public services in counties.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 389—An act to amend Section 4244 of the Political Code and Section 28115 of the Government Code, relating to compensation for public services in counties of the fifteenth class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 311—An act to amend Section 4241 of the Political Code, and Section 28112 of the Government Code, relating to compensation for public service in counties of the twelfth class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 335—An act to amend Section 4239 of the Political Code, and Section 28110 of the Government Code, relating to compensation for public service in counties of the tenth class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 604—An act to amend Section 25 of the Storm Water District Act of 1909, relating to expenses of maintaining and repairing storm-water district improvements.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 754—An act to amend Section 886 of "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to officers' interest in contracts made by them in their official capacity.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 384—An act to amend Section 4267 of the Political Code and Section 28138 of the Government Code, relating to compensation for public services in counties of the thirty-eighth class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 504—An act to amend Section 4284 of the Political Code and Section 28155 of the Government Code, relating to compensation for public services in counties.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 505—An act to amend Section 4259 of the Political Code and Section 28130 of the Government Code, relating to compensation for public services in counties.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 620—An act to amend Section 4250 of the Political Code and 28121 of the Government Code, relating to compensation for public services in counties of the twenty-first class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 621—An act to amend Section 1 and Section 4.5 of an act entitled "An act authorizing the governing bodies of counties, school districts, municipal corporations, political subdivisions, public corporations and other public agencies of the State of California to adopt a System of Group Life, Health and Accident Insurance and Health Services for the benefit of officers and employees and to deduct from the compensation thereof the premiums upon such insurance," approved May 25, 1939, and Section 1157 of the Government Code, relating to group annuities of public employees, the payment of premiums therefor and salary deductions for such payments, declaring the urgency hereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 618—An act to amend Section 4095 of the Political Code, and Section 29802 of the Government Code, relating to void warrants.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 397—An act to amend Section 409 of, and to add Sections 410 and 411 to the Fish and Game Code, relating to licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "2", and insert "3".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 791—An act to amend Section 525 of the Fish and Game Code, relating to obstructions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "division", and insert "diversion".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 792—An act to amend Section 522.5 of the Fish and Game Code, relating to the construction of additional structures on dams to provide free passage of fish, and providing for the liability of the State for damages resulting from such construction.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 6, of the printed bill, after "commission", insert "may make such additional structures and".

Amendment No. 2

On page 1, line 7, of said bill, after "construction", insert "including the cost of insurance against any liability which the commission may incur in connection with such structures".

Amendment No. 3

On page 1 of said bill, strike out lines 8 to 14, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 395—An act to amend Section 405 of the Fish and Game Code, relating to licenses.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 396—An act to amend Section 407 of the Fish and Game Code, relating to licenses.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 394—An act to amend Section 1278 of the Fish and Game Code, relating to license tags for taking deer.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 449—An act to amend Section 1019 of the Fish and Game Code, relating to expenditure of revenues.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 789—An act to repeal Sections 134 and 135 of the Fish and Game Code, relating to game refuges.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 790—An act to amend Section 534 of the Fish and Game Code, relating to obstructions in streams.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1243—An act to amend Section 13293 of the Government Code, relating to revolving fund advances.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1442—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 110—An act to amend Sections 1, 2, 3, 5, and 6 of the Judges' Retirement Act, to amend and renumber Section 1.5 thereof to be Section 1.2, to add Sections 1.1, 1.3, 1.4, and 1.5 thereto, and to repeal and add Section 4 thereof, and to add Section 1.5 to the Judges' Retirement Fund Act, and amend Sections 2, 3, 4, and 4.5 thereof, relating to retirement, with retirement allowances, of judges and justices, and to contributions to the Judges' Retirement Fund to provide such retirement allowances.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 5, line 8, of the printed bill, after "disability", insert "as hereinafter provided in Section 3".

Amendment No. 2

On page 5 of said bill, strike out lines 17 to 36, inclusive, and insert "SEC. 3. If any judge believes that he is unable to discharge efficiently the duties of his office by reason of mental or physical disability that is likely to be of a permanent nature, or if any member of the Judicial Council has reason to believe that any judge is unable to discharge efficiently the duties of his office by reason of such disability, such judge or member of the Judicial Council shall report such belief to the Chairman of the Judicial Council, who shall thereupon call a meeting of the council for the purpose of considering the matter. The Judicial Council shall have power to adopt rules and regulations governing the hearing of such matters, and must provide for reasonable notice of such hearing to the judge whose retirement is to be considered, and such judge shall have the right to appear at the hearing, and to be represented by counsel, and to produce any relevant evidence. If the evidence justifies it, the Judicial Council, by resolution adopted by the affirmative vote of eight of the members thereof may retire said judge from office with or without his consent. Such retirement shall be effective when there is filed with the Secretary of State a copy of the resolution of the Judicial Council, duly certified by the Chairman and Secretary of the Judicial Council."

Amendment No. 3

On page 7, line 49, of said bill, after "Retirement", insert "Fund".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 116—An act to amend Section 2152 of the Revenue and Taxation Code, relating to determination of the property tax.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 113—An act to add Section 4834.5 to the Revenue and Taxation Code, relating to correction of errors on the delinquent roll.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Defects in description or form or".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1161—An act to add Article 6 to Chapter 2 of Division 4 of the Welfare and Institutions Code, relating to state financial participation in indigent aid prescribing the conditions thereof, making an appropriation therefor, and declaring the urgency thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 3 of the title of the printed bill, after "aid", insert a comma.

Amendment No. 2

On page 1, line 6, of said bill, strike out "In the event that", and insert "Whenever at any time during any fiscal year".

Amendment No. 3

On page 1, lines 7 and 8, of said bill, strike out ", on a fiscal year basis determined monthly, —", and insert "0.08".

Amendment No. 4

On page 1 of said bill, strike out lines 10 and 11, and insert "the county is eligible to receive state assistance as provided in this article."

2621. As used in this article "assessed valuation" means the latest total assessed valuation of the property subject to county taxation (excluding solvent credits), as of the date the county tax rate is set annually by the board of supervisors.

2622. For the purposes of this article, "aid to indigents" includes all relief and support granted indigent persons pursuant to this chapter but does not include medical or hospital care, nor intra-mural care furnished in almshouses or county farms owned or operated by a county. The cost of administration of aid to indigents, including all salaries and wages of county employees, cost of equipment, operating and maintenance expenses, and other similar expenses, shall not be considered a cost of aid to indigents within the meaning of this article.

2623. The board of supervisors of any county may, by a majority vote of the board, apply on behalf of the county to the State Department of Social Welfare for state assistance under this article. For the purposes of this article, application for state assistance is made on the date the application is sent by registered mail to the state department, and the post-office cancellation mark stamped upon the envelope in which the application is enclosed is prima facie evidence that the application was mailed on that date.

The application shall be accompanied by an affidavit executed by the chairman of the board of supervisors setting forth the amount of the county expenditure for aid to indigents under this chapter during the current fiscal year to the date of the application.

Within 30 days after making the application, the county shall file with the State Department of Social Welfare a plan of county indigent aid policies and procedures, which shall include all ordinances adopted and rules and regulations promulgated by the county for the granting or denying of aid to indigents, for determining the amounts to be paid to indigents, and for determining such other indigent aid matters as are within the discretion of the county under this chapter.

2624. The State Department of Social Welfare shall determine whether or not the county's costs exceed the amount set forth in Section 2620 and shall approve the county plan if the plan provides for (a) payments of aid in cash or in kind in amounts not exceeding the maxima established by the State Department of Social Welfare, and (b) compliance with any other requirements prescribed by this chapter. If the department finds that the county is eligible for state assistance under this article, it shall grant the application, and certify that fact to the State Controller.

2625. The expenditure of funds rendering the county eligible for state assistance under this article shall be subject to audit by the State Department of Social Welfare and by the State Controller.

The State Department of Social Welfare may make rules and regulations regarding the accounting procedures to be used in making such expenditure.

2626. The amount of state assistance payable under this article to any eligible county where application therefor has been granted shall be 60 percent of so much of the county's expenditure for aid to indigents as exceeds 0.08 percent of the total assessed valuation of the property subject to county taxation. Payment of the state assistance shall be commenced as of the first day of the month in which the application for assistance was made, if the county was or became eligible for assistance during that month, except that in computing the state assistance to which the county is entitled here shall be excluded any county expenditure for aid to indigents which does not exceed 0.08 percent of the total assessed valuation of property subject to county taxation. If the county was not eligible for assistance during the month in which application was made, but became eligible thereafter, assistance shall be commenced as of the first day of the month in which the county became eligible therefor, and in computing the state assistance to which the county is entitled there shall be excluded any county expenditure which does not exceed 0.08 percent of the total assessed valuation of property subject to county taxation. Payments to counties under this article shall be made pursuant to the procedure set forth in this article.

2627. The State Department of Social Welfare shall make rules and regulations regarding the submission of claims to the State, which rules and regulations shall be subject to the approval of the State Controller. Such rules may, but need not, include the following requirements:

(a) Where aid is paid by means of cash warrants, the claim shall be supported by a listing of all recipients to whom aid is so paid, together with the amount of the payment to each recipient.

(b) For relief orders, the claim shall include the name of the vendor, the amount paid to him, and the listing of recipients in behalf of whom such payment is made.

(c) Where aid is given by means of goods purchased by the county, the claim shall include the purchase price of goods actually issued.

2628. Claims submitted by the county shall be subject to preaudit by the State Department of Social Welfare and the State Controller, and payment shall be made to the county in the amount approved. Adjustments found necessary through audit subsequent to payment of the claim shall be effected either through adjustment of a current claim or, in the absence of a current claim, the county shall refund to the State any excess previously allowed.

2629. Any amount collected in repayment of aid issued under this chapter shall be deducted from the amount of aid paid as shown in the claim submitted to the State Department of Social Welfare for the month in which the collection is received by the county.

2630. The State Department of Social Welfare shall periodically make audits of counties based upon the plan filed with and approved by the department. If the department finds that the county has not substantially complied with the conditions set forth in the approved plan, the department shall cause the withholding of further state assistance to the county until there is substantial compliance with such plan.

2631. Any county receiving state assistance under this article may terminate such assistance at its option by giving 15 days' written notice of intention to terminate, which notice shall be concurred in by not less than a three-fifths vote of the board of supervisors.

2632. Nothing in this article shall be construed to limit in any way any authority, power, or discretion granted to any county under this chapter, including the authority of a county with respect to any work relief programs in connection with the administration of indigent aid in such county.

Sec. 2. There is hereby appropriated for the purposes of this act for the period ending June 30, 1948, out of any money in the State Treasury not otherwise appropriated, the sum of seven million two hundred forty thousand dollars (\$7,240,000) of which amount not more than one hundred seventy-five thousand dollars (\$175,000) may be expended by the State Department of Social Welfare for the cost of administration of this act, in augmentation of any other moneys available to the department for its support."

Amendment No. 5

On page 1 of said bill, strike out lines 12 to 26, inclusive; and on page 2, of said bill, strike out lines 1 to 22, inclusive.

Amendment No. 6

On page 2, line 23, of said bill, strike out "Sec. 4.", and insert "Sec. 3.".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 192—An act to amend Section 2016 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 12 and 13, and insert "sum of thirty-five cents (\$0.35) per day, for transportation a minimum of fifteen cents (\$0.15) per day, for all other needs as paid."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1820—An act to amend Sections 89 and 92 of the Agricultural Code, and Section 5154 of the Public Resources Code, relating to fairs of counties and district agricultural associations, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 298—An act to amend Section 6 of an act entitled "An act to create an Agricultural Research Study Committee, provide for its powers and duties, and making an appropriation," approved March 12, 1946, relating to the Agricultural Research Study Committee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 387—An act to amend Section 307 of the Agricultural Code, relating to meat.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—27.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 660—An act to amend Section 6 of an act entitled "An act to promote the welfare of the poultry industry of the State of California; to encourage the breeding of poultry stock through public testing and demonstration of the results of superior breeding, and to

make an appropriation," approved July 22, 1939, relating to the Poultry Improvement Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 662—An act to amend Section 1 of an act entitled "An act to promote the welfare of the poultry industry of the State of California; to encourage the breeding of poultry stock through public testing and demonstration of the results of superior breeding, and to make an appropriation," approved July 22, 1939, relating to the Poultry Improvement Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 741—An act to amend Sections 1083, 1083.3, 1083.5, 1089, and 1091 of the Agricultural Code, relating to commercial feeding stuffs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 742—An act to add Section 1066.1 to the Agricultural Code, relating to economic poisons sales.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senator Quinn Presiding

At 2.45 p.m., Senator Irwin T. Quinn, of the Third District, presiding.

Senate Bill No. 755—An act to amend the title of, and Sections 1 to 6, inclusive, of "An act authorizing municipalities to declare noxious

or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same," approved May 26, 1915, relating to removal of weeds and rubbish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—26.

NOES—Senator Ward—1.

Bill ordered transmitted to the Assembly.

Senate Bill No. 462—An act to amend Section 132.5 of the Agricultural Code, relating to the control of pests on property belonging to or under the control of public agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 324—An act to amend Sections 16500, 16501, 16503, 16508, 16521, 16523, 16531, and 16533 of the Government Code and to repeal an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, and an act entitled "An act providing for the designation of money in the State Treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, relating to the deposit of state funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1155—An act relating to the disposition of moneys received by the State Controller as restitutions from former recipients of unemployment relief under the California Unemployment Relief Act of 1935, abolishing the State Controller SRA Restitutions Fund and transferring the balance therein to the General Fund, and repealing an act entitled "An act creating a special fund in the State Treasury for the deposit of restitutions received by the State from former recipients of relief under the provisions of the 'California Unemployment Relief

Act of 1935, 'making a transfer of funds to this fund, making an appropriation to the State Controller for continued collection of restitutions, to take effect immediately,' approved January 31, 1943.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 132—An act to amend Section 111 of the County Employees Retirement Act of 1937 and Section 31671 of the Government Code, relating to compulsory retirement, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Refer Bill to Inactive File

Senator DeLap moved that Senate Bill No. 132 be placed on the inactive file.

Motion carried.

Motion to Reconsider

Senator DeLap moved to reconsider the vote whereby Senate Bill No. 132 was placed on the inactive file.

Motion carried.

Further Consideration of Senate Bill No. 132

Senate Bill No. 132—An act to amend Section 111 of the County Employees Retirement Act of 1937 and Section 31671 of the Government Code, relating to compulsory retirement, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 117—An act to amend Section 4105 of the Political Code and Section 29821 of the Government Code, relating to registered warrants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 318—An act to amend Section 13373 of the Government Code, relating to the Purchasing Revolving Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 319—An act to amend Sections 13640 and 13643 and to repeal Sections 13642, 13644, and 13645 of the Government Code, relating to state printing funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 323—An act to amend Section 19431 of the Business and Professions Code, relating to the general office of California Horse Racing Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 352—An act to add Section 13943.5 to the Government Code, relating to the collection of taxes, licenses, fees, or other money.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator Powers, ordered printed in the Journal:

(Telegram)

SAN FRANCISCO, CALIFORNIA, March 19, 1947

Speaker of the Senate

Capitol Building, Sacramento, California

Department of California Veterans of Foreign Wars of the United States repudiate allegation they are sponsors of so-called housing caravan marching on Sacramento. Officially we know nothing of this activity.

CHAS. P. ASH

Department Commander for California Veterans of Foreign Wars

The following communication was received, read, and, on motion of Senator Tenney, ordered printed in the Journal:

(Telegram)

SAN FRANCISCO, CALIFORNIA, March 19, 1947

President of the Senate

State Capitol, Sacramento, California

The American Legion Department of California hereby give notice that the reported project of the housing march on the State Capitol scheduled for March 23d is in no way authorized, sponsored, or approved by the American Legion. Our organization is vitally interested in the improvement of veteran's housing conditions but we feel the proposed methods are ill advised. Furthermore, the American Legion will at all times speak for itself, and it should be understood that our organization never has and does not now affiliate itself with any policy-making body. The use of the name the American Legion in the proposed march is unauthorized.

DON CLARKE, Adjutant, Department of California, and

ED J. SHARKEY, National Vice Commander, The American Legion

The following communication was received, read, and, on motion of Senator O'Gara, ordered printed in the Journal:

(Telegram)

SAN FRANCISCO, CALIFORNIA, March 18, 1947

Senator Gerald J. O'Gara

Senate Building, Sacramento, California

San Francisco Veterans Housing Committee requests you call for session of California State Senate for 30 minutes Monday, March 24th, between 11 a.m. and 12 noon to give representatives of all major veteran organizations in California an opportunity to present their program for veterans housing.

HENRY A. HARRIS

Northern California Regional Coordinator Veterans Housing Motorcade

NOTICE OF A MOTION

Senator O'Gara gave notice that on Monday, March 23d, he will make a motion to recess the Senate at 2.20 p.m., for the purpose of hearing from the representatives of the major veterans organizations of California regarding veterans' housing.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1134

Senator Hatfield moved that Senate Bill No. 1134 be withdrawn from Committee on Agriculture, for purpose of amendment, and be re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1134—An act to amend Section 205 of the Agricultural Code, relating to animal diseases and quarantine.

Bill read second time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 205 of", and insert "add Section 205.5 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "animal diseases and quarantine", and insert "coordination of livestock sanitary services, making an appropriation and declaring the urgency hereof, to take effect immediately".

Amendment No. 3

On page 1, line 1, of said bill, strike out "Section 205 of the Agricultural Code is", and insert "A new section to be numbered 205.5 is added to the Agricultural Code, to read:".

Amendment No. 4

On page 1 of said bill, strike out all of lines 2 to 18, inclusive, and insert "205.5. For the purpose of protecting the agricultural industry of this State and to coordinate livestock sanitary activities within this State and among the several states having common or similar problems in the field of livestock disease prevention, quarantine, eradication or control, there is hereby created a State Livestock Sanitary Committee.

Said committee shall be comprised of two members who shall be appointed by the Governor and who shall serve for a term of four years and until their successors are appointed after the expiration of said term. One such member shall be recommended by the director to represent the official livestock sanitary services of the State and the other member shall be a representative of the livestock industry of the State. Any member who is not in the employ of the State shall be compensated at the rate of \$12.50 per diem for each day of official service rendered in behalf of the committee. Each member of the committee shall be allowed necessary traveling and incidental expenses incurred in the discharge of any of his duties under this section.

The State Livestock Sanitary Committee shall meet periodically with the livestock sanitary officials and/or duly authorized agricultural representatives of the several states and of the Federal Government and with members of any like committee from other states. The members of the State Livestock Sanitary Committee shall cooperate with the director and shall keep both the Governor and the director advised of important and significant developments in phases of work in connection with which the committee is appointed. All matters pertaining to budgetary allotments and fiscal procedures in connection with the work of the committee shall be handled by the department.

SEC. 2. There is hereby appropriated to the Department of Agriculture, out of any moneys in the State Treasury not otherwise appropriated, the sum of ten thousand dollars (\$10,000) to be used in carrying out the purposes of this act.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The discovery of foot-and-mouth disease in Mexico has imposed upon the border states mutual problems of inspection, sanitation, quarantine, and eradication, which can best be met through coordinating committees of the several states. In order that California may participate in these coordinating activities with respect to the immediate problems resulting from the presence of a serious livestock disease in an adjoining country, it is necessary that the committee be empowered to act immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Request for Unanimous Consent

Senator Hatfield asked for, and was granted, unanimous consent to have Senate Bill No. 1134 sent to print with a rush order.

MOTION TO PRINT LETTER OF TRANSMITTAL

Senator Crittenden moved that the following letter of transmittal regarding transcript of hearings before the Committee on Water Problems be printed in the Journal, and that 5,000 copies of the transcript be printed in pamphlet form for distribution, in 10-point type.

Motion carried.

LETTER OF TRANSMITTAL

SENATE CHAMBER

SACRAMENTO, March 19, 1947

*Honorable Irwin T. Quinn**Acting President of the Senate**State Capitol, Sacramento, California*

MR. PRESIDENT: I am Chairman of the Joint Legislative Committee on Water Problems, which has had under consideration various water problems of the State of California for the past six years.

On February 19, 1947, your committee held a hearing on the 160-acre limitation of ownership of lands in California as provided for in the Federal Reclamation Act. It was a one-day hearing. The morning session given to opponents to the law, and the afternoon session given entirely to the proponents of the law.

A great demand has been made for copies of the transcript of this hearing in order to assist in the preparation of laws, bills and resolutions, and to study its legal effect in California.

Respectfully submitted.

BRADFORD S. CRITTENDEN, Chairman

*Members of the committee:***Senators**

BRADFORD S. CRITTENDEN, Chairman

CHARLES H. DEUEL

OLIVER J. CARTER

R. R. CUNNINGHAM

W. P. RICH

Assemblymen

THOS. A. MALONEY,

Vice Chairman

GEORGE R. BUTTERS

S. L. HEISINGER

LLOYD W. LOWREY

CHARLES M. WEBER

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 364—An act to amend Section 13942 of the Government Code, relating to authorizations by the State Board of Control discharging state agencies from accountability for the collection of taxes, licenses, fees, or other money.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 365—An act to add Section 13145 to the Government Code, relating to refunds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating,

McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 778—An act adding Sections 31204 and 31205 to the Government Code, relating to retirement.

Motion to Refer Bill to Inactive File

Senator DeLap moved that Senate Bill No. 778 be placed on the inactive file.

Motion carried.

Senate Bill No. 587—An act to amend Section 21658 of the Water Code, relating to nomination of candidates for offices in irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 112—An act to amend Section 204a of the Code of Civil Procedure, relating to the appointment of jury commissioners.

Bill read third time.

Motion to Amend

Senator DeLap moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed bill, after "hundred", insert "dollars".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 120—An act to amend Section 2957 of the Civil Code, relating to mortgages.

Bill read third time.

Motion to Amend

Senator DeLap moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 11, of the printed bill, strike out "recording", and insert "rerecording".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 1227—An act to add Section 2501a to the Civil Code, relating to certificates of limited partnerships.

Bill read third time.

Motion to Amend

Senator Swing moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and to add Section 17415.5 to the Corporations Code".

Amendment No. 2

On page 1 of said bill, after line 8, insert

"SEC. 2. Section 17415.5 is hereby added to the Corporations Code, to read as follows:

17415.5. Where the articles of limited partnership provide that on the death of a limited partner the partnership shall continue, the amendment required by Section 17415 need only show the fact of death of the limited partner and the reduction of capital, if any, and when signed, sworn to and filed by any general partner, fully complies with all provisions of this chapter.

SEC. 3. Section 2 of this act shall take effect only if the Corporations Code is enacted by the Legislature at this session, and in such case, at the same time that the Corporations Code takes effect; at which time Section 2501a of the Civil Code is hereby repealed."

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 127—An act to amend Section 4237.1 of the Political Code and Section 28108 of the Government Code, relating to salaries of phonographic reporters in counties of the eighth class.

Bill read third time.

Motion to Amend

Senator Swing moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "Political", and insert "Government".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 28—An act to add Section 578a to the Probate Code, relating to compromises and settlements by executors or administrators of claims, rights of action and actions for death or injury by wrongful act.

Bill read third time.

Motion to Amend

Senator Keating moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, in the Senate on March 18, 1947, before "An", insert "578a."

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 62

Senator McBride moved that Senate Bill No. 62 be withdrawn from Committee on Business and Professions, and referred to Committee on Public Health and Safety.

Motion carried.

MOTION TO RE-REFER SENATE BILL NO. 621

Senator Hulse moved that Senate Bill No. 621 be re-referred to Committee on Local Government.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Financial Institutions**

SENATE CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Senate Bill No. 668

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

McBRIDE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 12, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 222

Senate Bill No. 224

Senate Bill No. 225

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

McBRIDE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 12, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Senate Bill No. 526

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

McBRIDE, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, March 18, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 21

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7, absent 4.

QUINN, Chairman

Above reported bill ordered to second reading.

ADJOURNMENT

At 4.25 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Thursday, March 20, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

TWENTY-SEVENTH LEGISLATIVE DAY

SEVENTY-FOURTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, March 20, 1947

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Denel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Weybret, on motion of Senator Powers, due to illness.

Senator Busch, on motion of Senator Parkman, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Watson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Charles W. T. Winkle, Mr. F. B. Owens, Mr. Alexander Swartz of Costa Mesa, and Miss Clarinda Sievers, Mrs. Morris Wilson and Mrs. Ernest Geddes of Pomona.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Charles Lamberson and Miss Susie Lamberson of Berkeley.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Carl Larsson,

teacher, Mr. Ed Smith, and the following students of the Golden Gate Academy, Berkeley: Shirley Annofsky, Eugene Bernard, Bette Young, Marie Smith, Naomi Poteat, Vernon Gomes, Seymour Webb, Elaine Domeny, Anna Pillor, Louise Roberson, Jane Phillips, Phyllis Harrison, Joe de Leon, Lynna Marie Larsen, and Frank Tuzzolino.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Henry Laws, Mr. Floyd Benson, Mr. Henry Wilson, Mr. Dane Wilson, Mr. Tom Mellis and Mr. Al Simi, members of the Modesto Junior Chamber of Commerce, Modesto.

On request of Senators Burns and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Howard L. Houltzendorff and Miss Barbara Rosein of Los Angeles.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. John W. Beard of San Francisco.

On request of Senators Hatfield, Donnelly and Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. George H. Sawyer of Waterford, Mr. A. C. Pollard of Merced County, Mr. Le Sage, Mr. A. J. Quist and Mr. L. H. McDaniel, both of Fresno, and Mr. Leo P. Hilegard of Modesto.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Charles Hamilton, Principal, and the following students of the Lodi Junior High School: Kenneth Angier, Phyllis Ferguson, Gerry Gatzert, Delores Hieb, and Billy Limbaugh.

On request of Senator Jespersen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. George Stephens of Paso Robles.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Supervisor James Lyttle of Sonoma; Supervisor George O. Kennedy of Sebastopol; W. Finlaw Geary of Santa Rosa; Richard Watkins of Sonoma, and Clyde Edmondson, Executive Manager of the Redwood Empire Association, San Francisco.

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator Gordon, ordered printed in the Journal:

(Telegram)

SAN FRANCISCO, CALIFORNIA, March 19, 1947

*The State Senate
Sacramento, California*

May we take this method of informing you and the State Legislature that the American Legion, San Francisco County Council, has not sponsored any proposed march to the State Capitol relative to the veterans housing situation. We have not sponsored this proposed trip, rather, to the contrary, we are opposed to the procedure. Any use of the name San Francisco County Council American Legion by any individual or groups in connection with this particular trip is wholly unauthorized.

FRED COULMAN, Commander

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Second Committee on Conference concerning:

Assembly Bill No. 747—An act to add Section 2042 to the Penal Code, relating to escapes from the California Vocational Institution, and declaring the urgency thereof, to take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 28

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By C. W. QUEALE, Assistant Clerk

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 8	Senate Bill No. 604
Senate Bill No. 41	Senate Bill No. 605
Senate Bill No. 58	Senate Bill No. 618
Senate Bill No. 100	Senate Bill No. 621
Senate Bill No. 116	Senate Bill No. 754
Senate Bill No. 118	Senate Bill No. 774
Senate Bill No. 203	Senate Bill No. 789
Senate Bill No. 226	Senate Bill No. 790
Senate Bill No. 300	Senate Bill No. 1128
Senate Bill No. 403	Senate Bill No. 1129
Senate Bill No. 449	Senate Bill No. 1164
Senate Bill No. 504	Senate Bill No. 1243
Senate Bill No. 505	Senate Bill No. 1442
Senate Bill No. 574	Senate Concurrent Resolution No. 28

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 28	Senate Bill No. 127
Senate Bill No. 112	Senate Bill No. 1227
Senate Bill No. 120	

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 110	Senate Bill No. 396
Senate Bill No. 113	Senate Bill No. 397
Senate Bill No. 311	Senate Bill No. 400
Senate Bill No. 384	Senate Bill No. 791
Senate Bill No. 386	Senate Bill No. 792
Senate Bill No. 394	Senate Bill No. 944
Senate Bill No. 395	

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Joint Resolution No. 10

Assembly Concurrent Resolution No. 48

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolutions ordered to third reading.

NOTICE OF MOTION

Senator Powers gave notice that on the next legislative day he would move to amend the Standing Rules of the Senate as follows:

Amendment No. 1

Amend Rule No. 51 by adding thereto the following:

"Letters of transmittal presenting reports of interim committees and reports of such state departments and agencies as shall be made to the Senate pursuant to law or resolutions adopted by the Senate, shall be printed in the Journal, but the reports shall be printed in the Appendix to Journals unless otherwise directed by the Senate."

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Conference concerning:

Assembly Bill No. 747—An act to add Section 2042 to the Penal Code, relating to escapes from the California Vocational Institution, and declaring the urgency thereof, to take effect immediately.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be not concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 5 of the printed bill, strike out "felony or a misdemeanor, in the discretion of the court." immediately following the word "a", and insert "crime and shall be imprisoned in a state prison for not exceeding five years or in the county jail for not exceeding one year."

BUSH
DILLINGER
JUDAH

DOYLE
EVANS

Senate Committee on Conference

Assembly Committee on Conference

Report read.

The roll was called, and the report adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—33.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolutions were offered:

Senate Joint Resolution No. 12: By Senator Hatfield—Relative to memorializing the Congress of the United States to support Senate Bill No. 715, providing retirement benefits for the investigatory staff of the Federal Bureau of Investigation.

Referred to Committee on Rules.

Senate Constitutional Amendment No. 19: By Senator Jespersen—Proposed amendment to Section 23 of Article XII of the Constitution, relative to public utilities.

Referred to Committee on Governmental Efficiency.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill No. 59—An act to amend Section 4240 of the Political Code and Section 28111 of the Government Code, relating to compensation for public services in counties of the eleventh class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "two hundred dollars (\$6,200)", and insert "three hundred dollars (\$6,300)".

Amendment No. 2

On page 1, line 14, of said bill, strike out "four thousand two hundred dollars (\$4,200)", and insert "three thousand dollars (\$3,000)".

Amendment No. 3

On page 2, line 21, of said bill, strike out "two hundred dollars (\$6,200)", and insert "three hundred dollars (\$6,300)".

Amendment No. 4

On page 2, line 26, of said bill, strike out "four thousand two hundred dollars (\$4,200)", and insert "three thousand dollars (\$3,000)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 60—An act to amend Section 4248 of the Political Code and Section 28119 of the Government Code, relating to compensation for public services in counties of the nineteenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 2 of the printed bill, between lines 6 and 7, insert
"5. Trial jurors in criminal cases, shall receive as compensation for each day's attendance for trial in the superior courts the sum of three dollars (\$3) per day, and for each mile actually and necessarily traveled from their residence in attending the superior court, one way only, the sum of ten cents (\$0.10) per mile."

Amendment No. 2

On page 2, between lines 37 and 38, of said bill, insert
"(e) Trial jurors in criminal cases, shall receive as compensation for each day's attendance for trial in the superior courts the sum of three dollars (\$3) per day, and for each mile actually and necessarily traveled from their residence in attending the superior court, one way only, the sum of ten cents (\$0.10) per mile."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 114—An act to amend Section 2.6 of the Planning Act, relating to compensation of members of the commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "shall", and insert "may".

Amendment No. 2

On page 1, line 9, of said bill, strike out "board of supervisors", and insert "legislative body".

Amendments read, and adopted.

Further Amendments to Senate Bill No. 114**Motion to Amend**

Senator DeLap moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, after "supervisors", insert "or governing body of the city by which they are appointed".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1420—An act to add Article 3 to Chapter 1 of Division 2 of the Fish and Game Code, relating to the protection of fish.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "the Kern Lakes at the headwaters of", and insert "Soda Springs Lake, commonly known as Kern Lake, of".

Amendment No. 2

On page 1, line 7, of the printed bill, after "River", insert "shall".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 445—An act to amend Section 1015 of the Fish and Game Code, relating to privilege taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "\$(.25)", and insert "\$(.02½)".

Amendment No. 2

On page 1, line 10, of said bill, strike out "\$(.005)", and insert "(¼)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 676—An act to amend Sections 803, 922, and 943 of the Fish and Game Code, relating to fish, mollusks, and crustaceans and the taking thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, following line 10, insert

"SEC. 4. Section 804 of said code is amended to read:

804. No clams taken in District[s] 7,] 8 [or 9] may be transported to any place outside the boundaries of District[s] 1½ [and 2½]."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 674—An act to amend Section 72, and to repeal Section 73 of the Fish and Game Code, relating to districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 10, of the printed bill, after "jetties", insert ", and".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 946—An act to amend Section 881 of the Fish and Game Code, relating to use of nets.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 947—An act to amend Section 880 of the Fish and Game Code, relating to nets.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 448—An act to add Section 46.1 to the Fish and Game Code, relating to appropriation of funds.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 492—An act to amend Section 427 of the Fish and Game Code, relating to hunting and fishing, and the issuance of licenses therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 617—An act to repeal Section 152 of the Fish and Game Code, relating to refuges.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 675—An act to amend Section 74, and to repeal Section 75, of the Fish and Game Code, relating to districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 677—An act to amend Section 670 of the Fish and Game Code, relating to salmon.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 678—An act to amend Section 877 of the Fish and Game Code, relating to use of nets.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 982—An act to amend Sections 970, 972, 973, and 974 of the Fish and Game Code, relating to districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 344—An act to repeal Chapters 1, 2, 3, 4, 5, and 6 and to renumber Chapters 10 and 11 to be Chapters 13 and 14, respectively, of, and to add Chapters 1 to 10, inclusive, to, Division 4 of the Agricultural Code, relating to milk and milk products and the production, handling, sale, distribution, and processing thereof and of products resembling or imitating them.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 6, line 11, of the printed bill, strike out "3.4", and insert "3.5".

Amendment No. 2

On page 6, line 13, of the printed bill, strike out "3.4", and insert "3.5".

Amendment No. 3

- On page 9 of the printed bill, strike out lines 25 to 28, inclusive, and insert
- (1) Whipping cream which shall have a milk fat content of not less than 35 percent.
 - (2) Pastry cream or all purpose cream which shall have a milk fat content of not less than 30 percent.
 - (3) Table cream which shall have a milk fat content of not less than 20 percent."

Amendment No. 4

On page 15, line 24, of the printed bill, strike out the period, and insert "and the percentage of market milk and milk products sold or delivered within each".

Amendment No. 5

On page 16, line 42, of the printed bill, following "unless", insert " , at least 48 hours prior to any sale or distribution,".

Amendment No. 6

On page 20, line 24, of the printed bill, strike out "department", and insert "director or approved milk inspection service".

Amendment No. 7

On page 22, line 10, of the printed bill, strike out "shall", and insert "may".

Amendment No. 8

On page 23 of the printed bill, following line 2, insert

"542.1 Nothing in this article shall prohibit the immediate degrading or exclusion from the market of milk or cream or the immediate condemnation of any milk or cream by the director or an approved milk inspection service, which milk or cream is contaminated or produced under conditions which may render it subject to contamination."

Amendment No. 9

On page 25, line 29, of the printed bill, following "director", insert "and the approved milk inspection service within whose jurisdiction such milk products plant is located."

Amendment No. 10

On page 25, line 31, of the printed bill, strike out "his", and insert "the director's".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 668—An act to amend Section 11529 of the Insurance Code, relating to voluntary mutualization of incorporated life and life and disability insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections".

Amendment No. 2

In line 1 of the title of the printed bill, after "11529", insert "and 11530".

Amendment No. 3

In line 1 of the title of the printed bill, after the comma, insert "and to add to the Insurance Code a new section to be numbered 11529.5, all".

Amendment No. 4

On page 1, line 9, of the printed bill, after "stock", insert "of the insurer", and in the same line, after "acquired", strike out "of the insurer".

Amendment No. 5

On page 1, line 11, of the printed bill, after "three", insert "or more".

Amendment No. 6

On page 1, line 12, of the printed bill, strike out ", and who"; strike out all of lines 13, 14, 15, and 16; and in line 17, strike out "of more than 50 years".

Amendment No. 7

On page 1, line 17, of the printed bill, after "shall", insert "hold in trust and".

Amendment No. 8

On page 2 of the printed bill, after line 9, insert

"SEC. 2. A new section to be numbered 11529.5 is hereby added to Article 2, Chapter 13, of Part 2 of Division 2 of the Insurance Code, to read as follows:

11529.5. Any such plan of mutualization may provide for the continuance of a voting trust agreement created pursuant to the provisions of Section 1037(e) for the holding and voting of any or all shares of the insurer not acquired upon the adoption of such plan, or for the creation of a similar trust. In either case such voting trust agreement, with the approval of the commissioner, may be made irrevocable while the plan of mutualization is in effect until such time as all shares of the insurer shall have been acquired by the insurer either in trust or otherwise as provided in Section 11529.

SEC. 3. Section 11530 of the Insurance Code is hereby amended to read as follows:

11530. Every payment for the acquisition of any shares of the capital stock of such insurer, the purchase price of which is not fixed by such plan, shall be subject to the prior approval of the commissioner. Neither such plan, nor any such payment, may be approved by the commissioner unless he finds that the rights and interests of the insurer, its policyholders, and shareholders are protected, nor unless at the time of each such approval, the paid-in capital of the insurer, after deducting the amount described in subdivisions (a) or (b) of this section, as is proper thereunder, is sufficient at least to qualify such insurer to be admitted as to the classes of insurance transacted by it in this State. The amounts to be deducted as provided in this section are as follows:

(a) The aggregate sum fixed by such plan for the acquisition of any part or all of its shares of capital stock, the payment of which is not contingent upon the existence of profits sufficient to provide for such payment or which is not payable from surplus.

(b) In case of any payment not fixed by such plan and subject to separate approval after the approval of such plan, the amount of such payment, the payment of which is not contingent upon the existence of profits sufficient to provide for such payment or which is not payable from surplus."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

Senate Bill No. 222—An act to amend Section 16 of the Corporate Securities Act, relating to void securities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 1, line 3, of the printed bill, after "security", insert "of its own issue".

Amendment No. 2

On page 1, line 5, of the printed bill, after "security", insert "of its own issue".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 224—An act to amend Section 2 of the Corporate Securities Act, relating to exemptions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 3, line 6, of the printed bill, strike out "gage", and insert "gagee".

Amendment No. 2

On page 4, line 26, of the printed bill, after "notes", insert "and any guarantee thereof".

Amendment No. 3

On page 4 of the printed bill, strike out lines 30 to 32, inclusive, and insert "11. Any bona fide joint adventure interest, except such interests when offered to the public."

Amendment No. 4

On page 4 of the printed bill, strike out lines 45 and 46.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 225—An act to amend Section 4 of the Corporate Securities Act, relating to the issuance of permits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out the comma and "including", and insert "and".

Amendment No. 2

On page 1, line 9, of the printed bill, strike out the comma and "is", and insert "are".

Amendment No. 3

On page 1, line 26, of the printed bill, after "thereof", insert a comma and "the waiver of assets and dividends by the holders of promotional securities".

Amendment No. 4

On page 2, line 13, of the printed bill, after the period, insert "After such hearing the commissioner may refuse to issue a permit authorizing such exchange if in his opinion the plan is not fair, just or equitable to all security holders affected."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 526—An act to repeal Sections 10240 and 10242 of the Insurance Code and to add Sections 10240, 10242, 10244, 10246, 10248, 10250, 10252, and 10254 to Chapter 3, Part 2, Division 2 of the Insurance Code, relating to funeral insurance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 21—An act to add Section 6018 to the Revenue and Taxation Code, relating to the sales and use taxes.

Bill read second time, ordered engrossed, and to third reading.

MOTION TO PRINT LETTER OF TRANSMITTAL

Senator Hatfield moved that the letter of transmittal be printed in the Journal, and that the Partial Report of the Interim Committee on Agriculture and Livestock Problems be printed in the appendix to the Journal, and 1,000 copies of the report be printed in 10-point type.

Motion carried.

LETTER OF TRANSMITTAL

SENATE, SACRAMENTO, March 20, 1947

Honorable Goodwin J. Knight, President

Members of the Senate

Honorable Sam L. Collins, Speaker

Members of the Assembly

State Capitol, Sacramento, California

GENTLEMEN: Supplementing the Partial Report of the Interim Committee on Agriculture and Livestock Problems relative to the present and contemplated activities of state institutions operating farms, dairies and other facilities, which partial report was printed in the Senate Daily Journal for the Fifty-sixth (Second Extraordinary) Session, July 25, 1946, at pages 88 to 282, and the Senate Daily Journal for the Fifty-seventh Session, January 23, 1947, at pages 461 to 504, your committee wishes to file the following summary of agricultural operations at state institutions for the fiscal year ending June 30, 1946, as prepared by the Department of Finance, R. B. Easson, Agricultural Adviser.

Agriculture and Livestock Problems
Interim Committee

By GEORGE J. HATFIELD, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 589—An act to amend Section 22727 of the Water Code, relating to verified claims for damages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 609—An act to add Section 20570 to the Water Code, relating to irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—31.

NOES—None.

Motion to Reconsider

Senator Mayo moved to reconsider the vote whereby Senate Bill No. 609 was passed.

Postponement of Reconsideration

On motion of Senator Mayo, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 609 was passed, was continued until the next legislative day.

Senate Bill No. 833—An act providing for the transfer to the Department of Education of exclusive jurisdiction and control over certain lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1298—An act to add Section 18 to the County Water Works District Act, relating to the government of county water works districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hulse, Judah, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1488—An act to amend Section 542 of the Code of Civil Procedure, relating to attachment of personal property in respect to the deposit of expenses of taking and safe-keeping.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 49—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons.

Motion to Refer Bill to Inactive File

Senator Keating moved that Senate Bill No. 49 be placed on the inactive file.

Motion carried.

Senate Bill No. 119—An act to amend Section 674 of the Code of Civil Procedure, relating to the extinction of liens by staying enforcement of judgments or decrees on appeal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 825—An act to amend Section 337 of the Code of Civil Procedure, relating to the time of commencing civil actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1313—An act to amend Section 1233 of the Probate Code, relating to rules of pleading and practice in judicial proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 306—An act to amend Section 1107 of the Code of Civil Procedure, relating to service of applications for prerogative writs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Keating, Kraft, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 605—An act to add Section 4436 to the Public Resources Code, and to repeal Chapter 1496 of the Statutes of 1945, relating to forestry, providing for the development and maintenance of the Mountain Home Tract Forest.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 774—An act to amend Section 6966 of the Public Resources Code, relating to payment of royalties to the State for extraction of minerals from public lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1128—An act authorizing the Director of Natural Resources, with the approval of the State Park Commission, to convey by quitclaim deed to Central Pacific Railway Company, a corporation, a certain parcel of land in Castle Crag State Park, County of Shasta, State of California, in exchange for a quitclaim deed from said railway company to the State of a certain parcel of land in the County of Sonoma, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1129—An act authorizing the Director of Natural Resources, with the approval of the State Park Commission, to exchange certain lands in the County of Santa Cruz, State of California.

Bill read third time.

Motion to Amend

Senator DeLap moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, before "the", insert "Section 1."

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 400—An act to authorize the Director of Finance to convey or exchange certain real property in the County of San Luis Obispo.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, and Watson—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 944—An act to amend Sections 6401 and 6402 of the Public Resources Code, and to add Section 6403 thereto, relating to the reservation of oil, gas, and mineral rights in state lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 386—An act to amend Section 4268 of the Political Code and Section 28139 of the Government Code, relating to compensation for public services in counties of the thirty-ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 8—An act to amend Section 4249 of the Political Code and Section 28120 of the Government Code, relating to compensation for public service in counties of the twentieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Carter, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 226—An act to amend Section 10 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to compensation of elective officers of cities, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Burns, Collier, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 203—An act to amend Section 4247 of the Political Code and Section 28118 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 300—An act to amend Section 4265 of the Political Code and Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 41—An act to amend Section 4253 of the Political Code and Section 28124 of the Government Code, relating to the compensation for public service in counties of the twenty-fourth class.

Bill read third time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 20, of the printed bill, strike out "5,000", and insert "5,500".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 100—An act to amend Section 4257 of the Political Code and Section 28128 of the Government Code, relating to compensation for public services in counties of the twenty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 118—An act to amend Section 4041.2 of the Political Code, and Section 25252 of the Government Code, relating to county funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 403—An act to amend Section 5 of the Housing Authorities Law, relating to appointment and compensation of commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1164—An act to add Section 9203.5 to the Public Resources Code, relating to elections in soil conservation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 574—An act to amend Section 4251 of the Political Code and Section 28122 of the Government Code, relating to compensation for public services in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 311—An act to amend Section 4241 of the Political Code, and Section 28112 of the Government Code, relating to compensation for public service in counties of the twelfth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 604—An act to amend Section 25 of the Storm Water District Act of 1909, relating to expenses of maintaining and repairing storm water district improvements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 754—An act to amend Section 886 of "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to officers' interest in contracts made by them in their official capacity.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Cunningham, DeLap, Desmond, Deuel, Dillinger, Gordon, Hulse, Jespersen, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Williams—25.

NOES—Senators Donnelly and Keating—2.

Bill ordered transmitted to the Assembly.

Senate Bill No. 384—An act to amend Section 4267 of the Political Code and Section 28138 of the Government Code, relating to compensation for public services in counties of the thirty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 397—An act to amend Section 409 of, and to add Sections 410 and 411 to the Fish and Game Code, relating to licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 395—An act to amend Section 405 of the Fish and Game Code, relating to licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Keating, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 396—An act to amend Section 407 of the Fish and Game Code, relating to licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 394—An act to amend Section 1278 of the Fish and Game Code, relating to license tags for taking deer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 116—An act to amend Section 2152 of the Revenue and Taxation Code, relating to determination of the property tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 113—An act to add Section 4834.5 to the Revenue and Taxation Code, relating to correction of errors on the delinquent roll.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 112—An act to amend Section 204a of the Code of Civil Procedure, relating to the appointment of jury commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Kraft, Mayo, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 3.42 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 120—An act to amend Section 2957 of the Civil Code, relating to mortgages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

Senate Bill No. 1227—An act to add Section 2501a to the Civil Code and to add Section 17415.5 to the Corporations Code, relating to certificates of limited partnerships.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 127—An act to amend Section 4237.1 of the Political Code and Section 28108 of the Government Code, relating to salaries of photographic reporters in counties of the eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 28—An act to add Section 578a to the Probate Code, relating to compromises and settlements by executors or administrators of claims, rights of action and actions for death or injury by wrongful act.

Motion to Refer Bill to Inactive File

Senator Keating moved that Senate Bill No. 28 be placed on the inactive file.

Motion carried.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 326

Senator Ward moved that Senate Bill No. 326 be withdrawn from Committee on Social Welfare, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 326—An act to amend Section 39 of the Unemployment Insurance Act, relating to the rate of contributions.

Bill read second time.

Motion to Amend

Senator Ward moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "and prior to December 31, 1947."

Amendment No. 2

On page 1, line 11, of the printed bill, after "period", insert "except as otherwise provided in subsections (b) and (c)."

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 to 8, inclusive, and insert "(b) After December 31, 1947, whenever the balance in the Unemployment Fund, on January 1st of any calendar year, exclusive of any amounts available for transfer to the Disability Fund, equals $7\frac{1}{2}$ percent of the wages in employment subject to this act paid during the 12 month period ending upon the computation date immediately preceeding such January 1st employers shall pay into the Unemployment Fund

contributions for such calendar year upon all wages with respect to which contributions become due and payable for employment subject to this act at rates as provided hereinafter."

Amendment No. 4

On page 3, line 6, of the printed bill, strike out "(b)", and insert "(c)".

Amendment No. 5

On page 3, line 20, of the printed bill, after "(a)", insert "or (b)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 732

Senator Desmond moved that Senate Bill No. 732 be withdrawn from Committee on Local Government, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 732—An act to add Section 3722 to the Political Code, relating to the organization of river port districts for assessment and taxation purposes.

Bill read second time.

Motion to Amend

Senator Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, after "purposes", insert ", declaring the urgency thereof and providing that it shall take effect immediately."

Amendment No. 2

On page 1, line 7, of said bill, strike out "third Monday in June", and insert "first day of May".

Amendment No. 3

On page 1, line 11, of said bill, after "assessor", insert "or assessors".

Amendment No. 4

On page 1, line 12, of said bill, strike out "fourth Monday in June", and insert "first day of May".

Amendment No. 5

On page 1 of said bill, after line 12, insert

"Sec. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Proceedings have been commenced for the establishment of a river port district to include Sacramento County and a portion of Yolo County pursuant to Part 6 of Division 8 of the Harbors and Navigation Code. The election to determine if such district shall be created will be conducted April 15, 1947 and said district will therefore not be in existence until subsequent to the last allowable date in 1947 authorized by Section 3720 of the Political Code for the filing of the required map or plat. Without the benefit of this Section therefore, said district would be deprived of all revenue from taxation for a period of almost two years from the date of its formation, to wit, until January 1, 1949. It is urgent that said district, if established, have funds with which to function and operate at the earliest possible date so as to insure said district of receiving the assistance of the United States Government in accordance with United States Senate Document No. 142, Seventy-ninth Congress, Second Session, and to promote and facilitate the early accomplishment of the objective of said district, to wit, the construction of a deep water port and related facilities near Sacramento, California. The construction and operation of such port and facilities will materially promote the peace, health and safety of the people of said district and of this State in that:

(1) Said project will afford additional flood protection to property adjacent to or near the Sacramento River.

(2) Said project will stimulate employment, increase industry, alleviate economic distress and promote the general welfare of the people of said district as well as of the State.

(3) Said project will improve the military and naval facilities on the West Coast and will assist the War Department of the United States in its objectives, thereby promoting the peace, health and safety of the people of this State."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered :

Senate Concurrent Resolution No. 29: By Senator Powers—Relative to amendment of the Joint Rules concerning the manner of designating legislative sessions.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred :

Senate Bill No. 1474

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 9.

WARD, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred :

Senate Bill No. 602

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; noes 1.

WARD, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred :

Senate Bill No. 601

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; noes 1.

WARD, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 596

Senate Bill No. 599

Senate Bill No. 598

Senate Bill No. 985

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

WARD, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 19, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 163

Senate Bill No. 369

Senate Bill No. 164

Senate Bill No. 371

Senate Bill No. 181

Senate Bill No. 373

Senate Bill No. 231

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

WARD, Chairman

Above reported bills ordered to second reading.

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 527

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

JESPERSEN, Chairman

Above reported bill ordered to second reading.

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 219

Senate Bill No. 250

Senate Bill No. 223

Senate Bill No. 252

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

BREED, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 221

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

BREED, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 29

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Resolution No. 62

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

THIRD READING OF SENATE BILLS (OUT OF ORDER)**Senate Resolution No. 62:** By Senator Burns—Relative to the Joint Fact-Finding Committee on Un-American Activities.

WHEREAS, The Joint Fact-Finding Committee on Un-American Activities, which was continued as a joint committee of this regular session by the Senate Concurrent Resolution No. 10, has been requested to produce evidence before the Committee on Un-American Activities of the House of Representatives in Washington, D. C., on or about March 26, 1947; and

WHEREAS, Such appearance and the giving of such testimony will be in furtherance of the objects and purposes for which the Joint Fact-Finding Committee on Un-American Activities was created; now, therefore, be it

Resolved by the Senate of the State of California, As follows:

1. The Chairman of the Joint Fact-Finding Committee on Un-American Activities, and one member of the committee designated by the chairman are authorized to leave the State of California for the purpose of giving testimony before the Committee on Un-American Activities of the House of Representatives in Washington, D. C., and are excused from attendance at the sessions of the Legislature for such period of time as may be necessary for that purpose.

2. The chairman of said committee and the member thereof designated by him shall constitute a Subcommittee of the Joint Fact-Finding Committee on Un-American Activities for the purpose of this resolution and shall receive their mileage and expenses as provided by Rule 36 of the Joint Rules of the Senate and Assembly.

3. The sum of one thousand five hundred dollars (\$1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Joint Fact-Finding Committee on Un-American Activities and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—28.

NOES—None.

RESOLUTIONS

The following resolution was offered:

By Senator Swing:

Senate Resolution No. 63

Amending Resolution No. 11 adopted January 7, 1947, relative to the continuance of the Senate Fact-Finding Committee on Fish and Game Problems for Southern California created by Senate Resolution No. 123 of the Fifty-sixth Regular Session

Resolved, That in addition to the powers and duties conferred upon said committee by Senate Resolution No. 123 and Senate Resolution No. 11, said committee

shall have power and authority to order and direct its employees and agents to travel outside of and beyond the State of California, if and when the committee deems such travel necessary in the performance of the duties of the committee; and the traveling and living expenses of any such agent or employee while performing duties for such committee beyond and outside of the State of California is hereby ratified and approved as a part of the expenses of such committee necessarily incurred.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Donnelly, Gordon, Hatfield, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Williams—25.

NOES—None.

ADJOURNMENT

At 4 p.m., on motion of Senator Keating, the President declared the Senate adjourned until 10 a.m., Friday, March 21, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

TWENTY-EIGHTH LEGISLATIVE DAY

SEVENTY-FIFTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, March 21, 1947

The Senate met at 10 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—33.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Breed, due to illness.

Senator McBride, on motion of Senator Breed, due to legislative business.

Senator Busch, on motion of Senator Breed, due to legislative business.

Senator Weybret, on motion of Senator Breed, due to illness.

Senator Dillinger, on motion of Senator Jespersen, due to legislative business.

Senator McCormack, on motion of Senator Slater, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. A. Ajootian and Miss Agnes Ajootian of Fresno, and Mrs. Annabelle Rainie of Fresno.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. J. D. Richardson and Mrs. Dorothy Brewster of Vallejo.

On request of Senator Tenney and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Harvey Mydland of Inglewood.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Charles Tawney of Ripon.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Clyde E. Brown of Napa.

On request of Senators O'Gara, Breed, and Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Wilfred Cohen of San Francisco, Mr. Leo Baum of Oakland, and Mr. John Foley of Berkeley.

On request of Senators Desmond and Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. William A. Sullivan, State Insurance Commissioner, Olympia, Washington.

On request of Senator Mayo, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. John Rocco and Mr. James Murray of Twain Harte.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Walter Pittman, Chairman, Board of Supervisors, Riverside.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 53.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 53—Approving certain amendments to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the thirteenth day of March, 1947.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 53, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 53

Assembly Concurrent Resolution No. 53—Approving certain amendments to the charter of the City of Pasadena, State of California.

ratified by the qualified electors of said city at a special municipal election held therein on the thirteenth day of March, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator Dilworth, ordered printed in the Journal.

(Telegram)

LOS ANGELES, CALIFORNIA, March 20, 1947

*Senate Un-Americanism Committee
Capitol, Sacramento, California*

The Disabled American Veterans Department of California has no part in the organization nor conduct in the so-called housing caravan to Sacramento and has no authorized representative concerned in such caravan. This department is represented before the California State Legislature by duly appointed representatives J. Clyde Titterington and C. R. Theyson. This confirms wire to Governor Warren on March 18th.

LLOYD F. OLESON, Commander
Disabled American Veterans
Department of California

MOTION TO ADD SENATOR DORSEY AS CO-AUTHOR

Senator Judah moved that the name of Senator Dorsey be added to Senate Bill No. 1167 as co-author.

Motion carried.

Senator Keating Presiding

At 10.30 a.m., Senator Thomas F. Keating of the Thirteenth District, presiding.

CONSIDERATION OF DAILY FILE

MOTION TO RECONSIDER

Senate Bill No. 609—An act to add Section 20570 to the Water Code, relating to irrigation districts.

Motion to Reconsider Senate Bill No. 609

Pursuant to his motion previously made, Senator Mayo moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 609 was passed.

The roll was called, and Senate Bill No. 609 reconsidered by the following vote:

AYES—Senators Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Williams—28.

NOES—None.

Senate Bill No. 609 ordered placed on third reading file.

MOTION TO AMEND STANDING RULES

Senator Powers moved that, pursuant to his notice of a motion given on March 20, 1947, Senate Rule No. 51 be amended as follows:

Amendment No. 1

Amend Rule No. 51 by adding thereto the following:

"Letters of transmittal presenting reports of interim committees and reports of such state departments and agencies as shall be made to the Senate pursuant to law or resolutions adopted by the Senate, shall be printed in the Journal, but the reports shall be printed in the Appendix to Journals unless otherwise directed by the Senate."

The roll was called, and the motion carried by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Donnelly, Gordon, Hulse, Jespersen, Keating, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Satron, Swing, Tenney, Ward, Watson, and Williams—26.

NOES—None.

MOTION TO PRINT OPINION

Senator Hatfield moved that the following opinion of the Legislative Counsel, regarding taxation of veterans' farm and home purchases, be printed in the Journal in 10 point type:

Motion carried.

OPINION OF LEGISLATIVE COUNSEL

OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO, February 7, 1947

Taxation of Veterans' Farm and Home Purchases—No. 173

Honorable George J. Hatfield
Box C, Newman, California

DEAR SENATOR HATFIELD: You have asked us the following:

QUESTION

Are farms and homes purchased by the Department of Veterans Affairs, or its predecessor, the Veterans' Welfare Board, and resold to veterans under the Veterans' Farm and Home Purchase Act subject to taxation, except as to the possessory interest of the purchaser?

OPINION

In our opinion the interest which the veteran has under his contract for the purchase of a farm or home from the Department of Veterans Affairs or the Veterans' Welfare Board is taxable solely as a "possessory" interest in the land, not as if he were the legal or equitable owner of the fee.

That has been the administrative and legislative interpretation of the contract and of the statute for some 25 years and we find nothing in the judicial decisions of this State that leads us to think that our Supreme Court entertains or will entertain a different view.

ANALYSIS

The only court decision we know of that might be viewed as casting a possible doubt upon the soundness of the conclusion herein expressed is a recent one by a federal court construing a federal statute. (*S. R. A. vs. Minnesota* (1946), 66 S. Ct. 749, 90 L. Ed. Adv. 663.)

Such a decision at most could only be persuasive, not authoritative, in a California state case involving a state contract executed pursuant to a state statute.

But we do not think the *S.R.A.* case is even persuasive here. That was a case of the sale of an old government building which had been vacated and was no longer needed for government purposes. It was sold under a federal statute providing for the disposal of surplus federal real estate. Obviously, it was a contract of sale the purpose of which was that of getting the money value out of the property and putting the money to work, and, as the court indicated, the only conceivable interest the government any longer had in the property was security for the purchase price money.

That is an entirely different sort of transaction from the one which we are considering.

The several veterans' farm and home purchase acts are essentially similar, and have the following common provisions:

(a) The purpose of providing veterans with the opportunity to acquire farms and homes.

(b) Limitation upon the amounts which the State may advance and upon the value of the farm or home to be acquired.

(c) Inquiry as to eligibility and qualifications, and preference to wounded or disabled veterans.

(d) Inquiry as to desirability of the property.

(e) Requirement that the veteran actually reside upon the property to be acquired.

(f) Provision that property shall not be, voluntarily or involuntarily, transferred, assigned, encumbered, leased, let, or sublet, in whole or in part, without the written consent of the board.

(g) Provision for cancellation of contract, retaking and resale of the property, and retention of payments made in case of a breach of the contract.

(h) No provision for collection of a deficiency.

(i) The right of a widow to complete the veteran's contract if he dies after making application.

(j) The making of the Veterans' Welfare Board sole judge of the validity of taxes, assessments, encumbrances, etc.

In addition, the 1943 Act (Section 987.7 of the Military and Veterans Code) provides that the board may pay the veteran any net gain realized in excess of the amount due it, and makes the board sole judge of the net gain.

Interest has been reduced from time to time to cover the bare costs of administration. (1946, First Extra Session, Chap. 47).

The Legislature, by the enactment of Chapter 1502 of the Statutes of 1945, returned to the veteran purchasers the load charge which had been collected from them to guarantee the financial soundness of the operations of the board in case of unforeseen contingencies, such as a marked decline in real estate valuations, an unexpected number of defaults on purchase contracts, and similar unforeseen contingencies which would cause an eventual loss to the State, and which was found unneeded as the operations developed.

The Legislature has expressly interpreted the interest of a veteran in such a purchase as a "possessory interest" only. Sections 987 and

2190.1 of the Revenue and Taxation Code (added by Chapter 324 of 1945) provide for the assessment and collection of a tax upon the possessory interest of a veteran in real estate of the Veterans' Welfare Board.

In the administration of this act, the board has adopted rules to insure that the veteran is a qualified purchaser. It has adopted standard specifications and appraisals to determine the desirability and adaptability of the property to serve the purpose of this legislation, that of providing the veteran and his family with a suitable home for future years. It passes upon the location, as to accessibility to transportation, schools, markets, churches, parks, and opportunity for employment. The proportion of lot value to the dwelling cost is considered.

The board has also permitted joint tenancy contracts with the veteran and his wife, and established a group insurance plan to preserve the home for the survivor.

During the depression years temporary suspensions in payments were granted. New contracts were written. Temporary renting of the property was permitted (Veterans' Welfare Board Report as of June 30, 1936, p. 21). All these things resulted in preserving many homes for veterans which would otherwise have been lost to them.

Provisions have been made for additional loans for reconditioning.

These significant features of the statute, and of the contract made pursuant to the statute, present a quite different picture from that presented when a governmental agency is selling broken-down, dilapidated, second-hand property in order to get the money out and put the money to a useful purpose.

The significantly different public purpose of the Farm and Home Purchase Act gains emphasis if we focus attention upon the fact that it was but one of several veterans welfare acts all adopted at the session of 1921, following World War I.

The acts adopted at that session of the Legislature include:

The Veterans' Farm and Home Purchase Act (Chapter 519).

The California Veterans' Welfare Act, Land Settlement (Chapter 580).

An act establishing the California Veterans' Educational Institute (Chapter 579).

The Veterans' Welfare Bond Act of 1921 (Chapter 578), which was later validated by initiative constitutional amendment adopted November 7, 1922.

An act providing for the use of tax-deeded lands to aid vocational education of veterans' dependents (Chapter 349).

An act affording relief to veteran purchasers of school lands (Chapter 118).

An act authorizing counties to establish homes and maintain meeting places for veterans (Chapter 348).

An act granting state civil service preference to veterans (Chapter 577).

An act exempting veterans from certain business licenses (Chapter 164).

An act to exempt veterans from certain fees in connection with pension and insurance claims (Chapter 326).

The public purpose of these enactments was thoroughly considered by the Supreme Court in *Veterans' Welfare Board vs. Riley* (1922), 188 Cal. 607; *Veterans Welfare Board vs. Jordan* (1922), 189 Cal. 124; and *Allied Architects' Assn. vs. Payne* (1923), 192 Cal. 431.

In the *Allied Architects' Assn.* case, at page 439, in discussing the use of memorial buildings, the court states the general rule as to such enactments:

"The justification for the grant does not rest upon the moral or equitable obligation of payment to the veteran for services already rendered. In its dedication of the use of the building to associations of veterans the State is not looking toward the past but to the future. In short, it is not for past services rendered that the proposed building is dedicated to the use of those who served their Country but the services to be rendered by them to the State in the future by keeping alive and fostering that spirit of patriotism which actuated them when they offered their all, even unto 'the last full measure of devotion,' for the perpetuation of the ideals and institutions for which this Nation stands."

Administratively, the purpose of the Veterans' Farm and Home Purchase Act has been given the same broad interpretation.

The Foreword to the Report of the Veterans' Welfare Board as of June 30, 1926, contains a brief resume of veteran legislation from the days of Carthage to the present. This resume recites the problem of overcoming the mental and physical condition induced by war and of conquering the spirit of wanderlust and adventure. To overcome this the United States prior to World War I made land grants for the returning veterans, but in 1919 no more lands were available for that purpose and a new plan of home building had to be provided.

"So the idea of remedial aid for soldiers was not a new one, born in the minds of the present generation, but one of the oldest of national customs. The only problem was the application of an old principle. There were no longer new lands to be conquered or new territories to be settled, and there was very little government land to be offered for settlement; so the problem now was to find a means whereby these returned service men might be assisted in the acquisition of homes or farms in which to reestablish themselves within the boundaries or confines of our own Country."

On page 16 of the same report, the advantages of the act are set forth, together with an explanation:

"2. No taxes while the State has title to the property * * *

In practically every county, the property to which the State holds title under the Farm and Home Purchase Act has been exempted from taxation under an existing law which provides that property, the title of which is vested in the State of California, shall not be subject to taxation."

On page 22 of the 1928 report we find these statements:

"2. Less taxes through the application of the \$1,000 exemption given veterans by the Constitution of the State of California. (Section 14, Article XIII.) * * *

In a majority of the counties the property to which the State holds title under the Farm and Home Purchase Act has been exempted from taxation under an existing law which provides that property, the title of which is vested in the State of California, shall not be subject to taxation. In other counties the veterans under farm and home purchase contracts are assessed for taxes on the basis of their possessory interest in the farm or home and the \$1,000 exemption given them by the Constitution of the State of California, is applied against the assessment."

The State Land Settlement Act (Chapter 755 of the Statutes of 1917), though of an earlier vintage and one which in its declaration of purposes put the emphasis upon the importance of the land settlement problem and the need to improve general economic and social conditions of agricultural settlers, is in a similar category.

In the case of *State Land Settlement Board vs. Henderson* (1925) 197 Cal. 470, the court did in fact say that lands held by the State and open for settlement under the terms of that act "are lands which belong to the State and are exempt from taxation."

Under that act the State bought large parcels of land for the purpose of subdividing, improving and selling them. These lands were sold under contracts of sale essentially similar to the contracts under the Veterans' Farm and Home Purchase Act.

We do not see much difference between the purchase and resale of the larger tracts and buying small individual farms or homes or lots and improving them and selling to individual veterans. The situation is somewhat similar to that of the owner of a mining claim or of a homesteader or of a desert entryman or other purchaser of lands in the public domain who has but a possessory interest in the land when it comes to taxing his interest.

We are not unmindful of the holding of the Supreme Court in *Veterans' Welfare Board vs. Jordan* (supra), wherein the court held that General Fund bond moneys could be used in furtherance of land settlement but not in carrying out the provisions of the Farm and Home Purchase Act. The latter, the court said, was in fact a lending transaction and if bond moneys were used in furtherance thereof, that would amount to a lending of the credit of the State contrary to Section 31 of Article IV.

That is all very true but does not, we think, disallow the logic of our reasoning which leads to the conclusion that the State's interest and policy and purpose are such that the State has something far more and quite different over and above the interest which the vendor of mere surplus property has in the property under sale, security for payment of sales price money.

From a consideration of the foregoing factors, it is our opinion that a farm or home, purchased under the Veterans' Farm and Home Act is subject to taxation solely as a possessory interest in the land.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOSEPH L. KNOWLES, Deputy

Chief Assistant Secretary Cleve V. Taylor at the Desk

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 946—An act to amend Section 881 of the Fish and Game Code, relating to use of nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Keating, Kraft, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 947—An act to amend Section 880 of the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—28.

NOES—None.

Motion to Reconsider

Senator Crittenden moved to reconsider the vote whereby Senate Bill No. 947 was passed.

Postponement of Reconsideration

On motion of Senator Crittenden, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 947 was passed, was continued until the next legislative day.

President Pro Tempore of the Senate Presiding

At 10.50 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 448—An act to add Section 46.1 to the Fish and Game Code, relating to appropriation of funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Crittenden, Cunningham, DeLap, Desmond, Deuel, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 492—An act to amend Section 427 of the Fish and Game Code, relating to hunting and fishing, and the issuance of licenses therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft,

O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 59—An act to amend Section 4240 of the Political Code and Section 28111 of the Government Code, relating to compensation for public services in counties of the eleventh class.

Motion to Re-Refer Senate Bill No. 59

Senator Watson moved that Senate Bill No. 59 be re-referred to Committee on Local Government.

Motion carried.

Senate Bill No. 617—An act to repeal Section 152 of the Fish and Game Code, relating to refuges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1167

Senator Judah moved that Senate Bill No. 1167 be withdrawn from Committee on Education for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1167—An act to add Chapter 8 to Division 10 of the Education Code, establishing California Academies for dependent, neglected, and problem children who require special care and supervision, and providing for the government and administration thereof.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendments:

Amendment No. 1

Strike out line 2 of the title of the printed bill, and in line 3 of the title, strike out "and problem", and insert "establishing 24-hour schools to be known as California Academies for dependent and neglected".

Amendment No. 2

On page 2, line 2, of said bill, strike out "director", and insert "Director".

Amendment No. 3

On page 2, line 3, of said bill, strike out "not less than 5 years'", and insert "broad".

Amendment No. 4

On page 2, line 5, of said bill, strike out "board", and insert "Director of Education".

Amendment No. 5

On page 2, line 50, of said bill, after "citizens.", insert "In no case shall a child guilty of juvenile delinquency be admitted to either of such schools."

Amendment No. 6

On page 2, line 52, of said bill, strike out ", neglected, and problem" and insert "and neglected".

Amendment No. 7

On page 3, line 4, of said bill, after "training", insert "and the residence for the children therein shall be as nearly homelike as practicable".

Amendment No. 8

On page 3, line 33, of said bill, after "admission", insert " , but in no case shall any person connected with the juvenile court or probation department thereof be appointed on such a committee".

Amendment No. 9

On page 3 of said bill, strike out lines 40 to 52, inclusive, and on page 4, strike out lines 1 to 11, inclusive, and insert "when a petition is presented by the schools of the county or a child shall be referred to the county selective committee by the juvenile court as hereinafter provided and the parent or guardian, if any, has theretofore been appointed, refuses consent for placement in the California Academies, the county selective committee shall take up the matter of such child with the probation department of the superior court in and for such county and if no guardian has theretofore been appointed for such child the committee shall consider the petition to be filed in said court for the appointment of a guardian for such child. If the probate court finds the child in need of such care and training and believes that the treatment and training may be secured in a California Academy, a guardian shall be appointed for such child and thereupon the guardian shall be directed to apply to the superintendent of the proper California Academy for admission of such child as a student therein. No fee shall be payable for the filing of a petition for appointment of guardian for the purpose of this act. No bond shall be required upon the issuance of letters of guardianship on such petition.

21383. The superintendent of such California Academy shall pass on the eligibility of all applications for admittance of students to such school presented by the county selective committees and determine their fitness and acceptability as students in such California Academy.

Juvenile court judges are hereby empowered to refer from their courts to the county selective committee of the county for study as to qualifications for admittance as a student in the California Academies any person brought before them between the ages of 8 years and 16 years who in their opinion can properly qualify for admission, and upon final admission of such person to the school the proceedings, if any, against said person in the court shall be dismissed."

Amendment No. 10

On page 4, line 15, of said bill, strike out "committee of admission", and insert "superintendent of such academy".

Amendment No. 11

On page 4 of said bill, strike out lines 24 to 35, inclusive, and insert "If a child has been previously made a ward of the court the county selective committee may at any time study the qualifications of such child for admission as a student in one of the California Academies and if by said committee found eligible the said county selective committee shall proceed in the manner hereinbefore provided to have the child admitted as a student in one of such schools and upon final admission of such child to the school, petition the court to set aside the order making such child a ward of the juvenile court and dismiss the proceedings against such child in said court.

Parent, if any, or guardian, or some responsible and proper person approved by the superintendent shall accompany the child to and from a California Academy and pay for transportation expenses; provided, however, that in no case shall a child be accompanied to the school by any probation officer or peace officer or any person directly connected with a penal, correctional, or detention institution either state, county, or municipal, nor shall any person holding any such position or connected therewith, be appointed guardian of any child subject to this act. When parents or guardians are unable to meet the expense for such transportation the cost of transportation shall be paid from the support funds of the California Academies".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

REQUEST FOR UNANIMOUS CONSENT

Senator Rich asked for, and was granted, unanimous consent to have the Summary of the Preliminary Report of the Joint Legislative Budget Committee printed in the Journal, and the Preliminary Report be printed in the Appendix of the Journal and 1,000 additional copies printed in 10-point type.

SUMMARY OF PRELIMINARY REPORT OF THE JOINT LEGISLATIVE BUDGET COMMITTEE TO THE FIFTY-SEVENTH SESSION OF THE CALIFORNIA LEGISLATURE

Appointed under the provision of Joint Rule 37 of the 56th Session of the Legislature under Senate Concurrent Resolution No. 3, Chapter 20, Statutes of 1945.

Members of the Committee

Senators

W. P. RICH, Chairman
Tenth District
ARTHUR H. BREED, JR.
Sixteenth District
T. H. DELAP
Seventeenth District
RALPH E. SWING
Thirty-Sixth District
HAROLD J. POWERS
First District

Assemblymen

T. FENTON KNIGHT, Vice Chairman
Forty-Eighth District
LLOYD W. LOWREY
Third District
ALBERT C. WOLLENBERG
Twenty-First District
C. DON FIELD
Forty-Third District
SAM L. COLLINS
Seventy-Fifth District

In accordance with the provision of Joint Rule 37, we submit herewith a Partial Report of the Joint Legislative Budget Committee.

The primary purpose of this partial report is to place in your hands as early as possible the Report of the Legislative Auditor to the Joint Legislative Budget Committee analyzing the Budget of the State of California for the Fiscal Year July 1, 1947 to June 30, 1948.

We are asking that this partial report of the committee be printed in the Journal and that this report, together with the Report of the Legislative Auditor on the Budget, be printed as a supplement for the reason that we find at the moment there is a scarcity of paper and type metal in the State Printing Plant and several legislative committee reports and legislative printing competing for it. By following this procedure we will use less paper and release the type metal sooner.

By Joint Rule 37 your Joint Legislative Budget Committee is a continuing committee dealing constantly with matters "concerning the State Budget, the revenues and expenditures of the State and of the organization and functions of the State, its departments, subdivisions and agencies with a view of reducing the cost of the State Government, and securing greater efficiency and economy." The committee has had its Legislative Auditor and his staff studying state revenues, organization and procedure and the operation of the various agencies of the government in order to forward the purposes of the committee.

In particular, we have had the Legislative Auditor devote himself and his staff to the State Budget which is now before the Legislature. He has conducted many studies concerning the operations of the State preliminary to the analysis of the budget itself. This information has yielded much valuable material for use with the budget and for other recommendations within the purview of the committee, and subsequent reports will be presented to you covering these matters. This report deals solely with the State Budget now before you.

Cooperation With Budget Makers

At the request of the Director of Finance, Honorable James S. Dean, the Budget Committee instructed the Legislative Auditor to participate in the budget hearings and to consult with the Director of Finance and render every assistance in the formation of the budget. This service the Legislative Auditor and his staff have performed now for the three budgets of this administration through participating in these budget hearings. We believe that assistance was rendered in formulating a better budget and keeping it within more reasonable limits than might have resulted if this service and experience had not been available.

Our Legislative Auditor, by sitting in at the budget hearings representing the Legislature as an official observer, has been able to view at first hand just how the budget was formulated, including what the original requests were and the changes which were made by the Governor and the Department of Finance. This information and intimate acquaintance with the making of the budget itself makes it possible for him as our employee to report to us more adequately on this matter.

During this time the Legislative Auditor secured information from the various departments concerning their budget requests and the justification therefor and made further examination insofar as was possible into the needs of the departments and the efficiency of their method of operation.

Budget Analysis and Report

As soon as the budget hearings were over the Legislative Auditor formulated his own budget estimates preparatory to reviewing the final budget requests in the official document.

When the Department of Finance and the Governor had concluded the budget for any agency or division of the State, the final schedules showing allowances were provided the Legislative Auditor. His office thereupon began an exhaustive analysis of these budget requests. This work was already underway a short time before the formal budget document was presented to the Legislature on January 29, 1947. From that time until yesterday the Legislative Auditor and his staff have been concentrating on analyzing the budget and all of its parts and preparing a report which covers in comprehensive detail the budget document. This report includes the revenue estimates and the Governor's Message and the over-all procedure followed in forming the budget, together with an item by item analysis of the appropriation bills. Senate Bill No. 666 and Assembly Bill No. 1250, which are identical bills. This analysis, consisting of 660 pages, is now available for the use of the Legislature.

We believe that this report will assist materially in considering the budget, will expedite action thereon, and above all, will result in a more equitable budget. Moreover, it will promote economy and efficiency.

It has been the insistent desire of the Legislative Budget Committee to get this report into your hands as early as possible in the session. We have pressed the Legislative Auditor to do this. We believe that when you examine this report in connection with the budget document and the appropriation bills, you will appreciate that it was no small task to perform this service in the limited time available. The Legislative Auditor has pointed out to us that only by the industry of his staff, who have worked long hours and almost every night for several weeks, has it been

possible to get out this report in this time. The committee wishes to express appreciation to its staff for this industry and service.

The nature and extent of the budget report is such that the members of the Joint Legislative Budget Committee have not had opportunity to read or act upon the recommendations contained therein.

I have examined much of this report in the page proof and I have consulted with the members of the staff of the Legislative Auditor responsible for the research work on many sections. I know that the report itself, supplemented by such additional information as this staff possesses, will give you fuller information than has ever before been available to you concerning the items of appropriation in the Budget Bill and will make more understandable the exhaustive material in the budget document.

Budget Committee Task Increases With Budget

This is the third budget your Joint Legislative Budget Committee has considered. The first two of them, 1943-45 and 1945-47, were each for a biennium, and the present one for the one Fiscal Year 1947-48. We believe that our reports have improved with each budget. The size of our task continues to grow. The first biennial budget we considered for 1943-45 totaled \$463,947,005 when presented by the Governor. The 1945-47 Budget as presented by the Governor totaled \$683,710,643. This budget, the first one on an annual basis, totals \$641,599,026. It is only \$42,111,617 less than the previous biennial budget. The fiscal problems of the State of California have almost doubled within the space of three years. While the population has grown, it has not experienced nearly such a rapid increase. The job of your Legislative Budget Committee increases at the same rate as the budget. With an annual budget of almost the same size as the preceding biennial budget and 40 percent larger than the first biennial budget we considered, our task not only increases but it now becomes an annual one. We believe that by bringing you a comprehensive analysis of the budget and thereby giving you information which we know to be reliable and in which we have confidence that we can serve you and the people of the State in the most valuable way. It is information that we need before us in order to act intelligently on the fiscal matters we must consider in the budget and in the many appropriation bills in the Legislature.

Policies of the Budget Committee

The report of the Legislative Auditor outlines the policies the Budget Committee has set. We believe them to be consistent with the joint rule establishing the Budget Committee. The recommendations made by the Legislative Auditor are his recommendations and have not been acted on specifically by the Budget Committee. The report and recommendations are presented in this fashion so that each one of you may have these recommendations and facts as they are presented. You will have before you the basis and policies on which they are founded, and with these you can make your own determinations. Where additional information is desired, the Legislative Auditor and his staff are available to provide it.

At later dates additional studies prepared by the Legislative Auditor on particular matters of government operations and expenditures will

be presented by the Joint Legislative Budget Committee and a full report of the committee will be presented to the Legislature.

Respectfully submitted.

W. P. RICH, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 675—An act to amend Section 74, and to repeal Section 75, of the Fish and Game Code, relating to districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Collier, Crittenden, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 677—An act to amend Section 670 of the Fish and Game Code, relating to salmon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Crittenden, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—22.

NOES—None.

Motion to Reconsider

Senator Collier moved to reconsider the vote whereby Senate Bill No. 677 was passed.

Postponement of Reconsideration

On motion of Senator Collier, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 677 was passed, was continued until the next legislative day.

Senate Bill No. 678—An act to amend Section 877 of the Fish and Game Code, relating to use of nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 526—An act to repeal Sections 10240 and 10242 of the Insurance Code and to add Sections 10240, 10242, 10244, 10246, 10248, 10250, 10252, and 10254 to Chapter 3, Part 2, Division 2 of the Insurance Code, relating to funeral insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Collier, Crittenden, Cunningham, Desmond, Deuel, Donnelly, Hulse, Jespersen, Judah, Keating, Kraft, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Ward, Watson, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 10—Memorializing the President and Congress of the United States in relation to providing funds for a continued federal aid highway program.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Williams—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1820—An act to amend Sections 89 and 92 of the Agricultural Code, and Section 5154 of the Public Resources Code, relating to fairs of counties and district agricultural associations, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Swing.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Ward, Watson, and Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Crittenden, Cunningham, Desmond, Deuel, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Ward, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 48—Relating to the establishment of a state park on Angel Island in San Francisco Bay.

Resolution read, and presented by Senator Keating.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Carter, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 504—An act to amend Section 4284 of the Political Code and Section 28155 of the Government Code, relating to compensation for public services in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 505—An act to amend Section 4259 of the Political Code and Section 28130 of the Government Code, relating to compensation for public services in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Ward, Watson, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 618—An act to amend Section 4095 of the Political Code, and Section 29802 of the Government Code, relating to void warrants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 792—An act to amend Section 522.5 of the Fish and Game Code, relating to the construction of additional structures on dams to provide free passage of fish, and providing for the liability of the State for damages resulting from such construction.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Crittenden, Cunningham, Deuel, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 789—An act to repeal Sections 134 and 135 of the Fish and Game Code, relating to game refuges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

RESOLUTIONS

The following resolution was offered:

By Senators Desmond and McCormack:

Senate Resolution No. 64

Relative to George E. Zoller

WHEREAS, The news of the sudden death on March 20, 1947, of George E. Zoller has been received with profound regret and shock by the Members of this Senate, among whom he had many close personal friends; and

WHEREAS, A native of Sacramento and descended of a pioneer family which settled here early in the eighteen fifties, George E. Zoller was at the time of his death 53 years of age and had long been a leader in the social and civic life of Sacramento where his loss will be keenly felt and his death sincerely mourned by all who knew him; and

WHEREAS, At the time of his death George E. Zoller was President of the Capital National Bank, where he began his banking career 37 years ago and succeeded the founder of the bank as president in 1944, was a member of the Board of Directors of the California-Western States Life Insurance Company, and held also a number of offices in other financial enterprises in several California communities; and

WHEREAS, As a member of the committees on legislation and taxation and commodity loans of the California Bankers Association, he was well known in banking circles throughout the United States; and

WHEREAS, A veteran of World War I, George E. Zoller was a charter member of Sacramento Post No. 61 of the American Legion, and also belonged to the Sacramento Lodge of Elks and to the Sutter Club, to the Shrine, the Sciots, and to the Native Sons of the Golden West; and

WHEREAS, George E. Zoller was an enthusiastic sportsman, being a boxing fan and a hunter as well as a handball enthusiast, in which he was participating at the time of his death; now, therefore, be it

Resolved by the Senate of the State of California, That the Members of this Senate express their sorrow in the loss of a friend, and regret that such a fine man and leader has been lost to Sacramento and to the State of California; and be it further

Resolved, That the Secretary of the Senate send suitably prepared copies of this resolution as an expression of the deep sympathy the Members of this Senate extend to the widow of George E. Zoller, Mrs. Esther Zoller, and to his sister, Mrs. Zelma Lauppe; and be it further

Resolved, That when this Senate this day adjourns it do so out of respect to the memory of George E. Zoller.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—33.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 26—Relative to making funds available to the Joint Legislative Committee on Agriculture and Livestock Problems;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-first day of March, 1947, at 11 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 21
Senate Bill No. 448
Senate Bill No. 492
Senate Bill No. 526
Senate Bill No. 617
Senate Bill No. 675

Senate Bill No. 677
Senate Bill No. 678
Senate Bill No. 946
Senate Bill No. 947
Senate Bill No. 982
Senate Joint Resolution No. 10

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 497

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Resolution No. 61

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 949

Senate Bill No. 1334

Senate Constitutional Amendment No. 5

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 363

Senate Bill No. 471

Senate Bill No. 472

Senate Bill No. 564

Senate Bill No. 647

Senate Bill No. 1075

Senate Bill No. 1308

Senate Bill No. 1309

Senate Bill No. 1350

Senate Bill No. 1411

Senate Bill No. 1416

Assembly Bill No. 616

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

Committee on Education

SENATE CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 835

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

SLATER, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:
Senate Bill No. 672

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: The Committee on Education, to which were referred:
Senate Bill No. 530
Senate Bill No. 950

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

SLATER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: The Committee on Education, to which were referred:
Senate Bill No. 338
Senate Bill No. 339
Senate Bill No. 367

Senate Bill No. 532
Senate Bill No. 768
Senate Bill No. 822

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

SLATER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:
Senate Bill No. 784

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

SLATER, Chairman

Above reported bill ordered to second reading.

Committee on Institutions

SENATE CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: The Committee on Institutions, to which was referred:
Assembly Bill No. 811

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

MAYO, Chairman

Above reported bill ordered to second reading.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Local Government, to which was referred:
Senate Bill No. 428

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 466

Senate Bill No. 170

Senate Bill No. 542

Senate Bill No. 785

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, March 20, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 1134

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 7; absent 4.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Joint Resolution No. 13: By Senator Burns—Relative to memorializing Congress not to change the name of Boulder Dam.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF SENATE BILLS

Senate Bill No. 1474—An act to amend Section 1260 of the Military and Veterans Code, relating to definitions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 1, line 14, of the printed bill, after "Army," insert "Coast Guard,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Military and Veterans Affairs.

Senate Bill No. 602—An act to amend Sections 450, 453, 454, 455, 456, 457, 458, and 459 of the Military and Veterans Code, relating to the administration of company punishment of members of the National Guard, to the appointment of special courts-martial, the appointment of summary courts-martial, the appointment of courts of inquiry and boards of investigating officers, the jurisdiction of general, special and summary courts-martial and the admission of bail of military persons charged with military offenses before military courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 3, line 43, of the printed bill, strike out "All prosecutions and proceedings under this divi-"; and strike out lines 44 and 45, and insert

"If military authorities order the arrest by civil authorities of persons for trial before a military court, and cannot within four hours be contacted for the purpose of taking immediate custody, such arrested persons can be admitted to bail by civil authorities in accordance with provisions of the California Penal Code applicable to the offense for which the persons were arrested."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 601—An act to repeal Sections 212 and 213 of the Military and Veterans Code, relating to the inactive National Guard and honorary members in the National Guard and to amend Sections 16, 127, 142, 173, 183, 210, 224, 228, 256, 365, 394, 398, 417, 439, 470, and 644 of the Military and Veterans Code, relating to the administration of military oaths, assignment of military command, the employment of the military forces in the performance of necessary military duties, the publications of military material, the issuance of military property, the inactive National Guard, the priority of rank of military officers, the retirement of military officers and enlisted men, the temporary direction of the military forces by civil officers, discrimination against military personnel, the creation of an offense for trespass upon military grounds, armories or military places, the transportation of military personnel and material, county aid for the National Guard, the delivery of military personnel to civil authorities and the issuance of service medals.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 596—An act to repeal Sections 330, 331, 332, and 435 of the Military and Veterans Code, relating to monthly allowances to commanding officers and organizations of the National Guard, the use of funds, the allowance of claims and the payment of rental for leased armory, to add a new Section 330 to the said code, relating to expenses of commanding officers and organizations of the National Guard and the payment thereof, to amend Sections 413 and 432 of the Military and Veterans Code, relating to funds and property held in trust for commanding officers and organizations of the National Guard and the payment thereof and the payment of revenues received from state armories.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 12 of the title of the printed bill, after "armories", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2 of said bill, after line 51, insert

"SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of

Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The prompt postwar reorganization of the California National Guard requires the immediate change in the control of unit and armory administration and the payment and receipt of military funds. The creation of an effective security force requires the prompt disposition of military and unit funds held in trust and which should be immediately available for military purposes."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 598—An act to amend Sections 161, 162, 164, 164.1, and 168 of the Military and Veterans Code, relating to the personnel of the Office of the Adjutant General, the establishment of the rank of Major General for the Adjutant General and the qualifications therefor, the establishment of the rank of Brigadier General for the Assistant Adjutant General and the qualifications therefor, the organization of the office of the Adjutant General, and the pay and allowances for the Adjutant General and the Assistant Adjutant General.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 9 of the title of the printed bill, after "General", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 3 of said bill, after line 16, insert

"SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The prompt postwar reorganization of the California National Guard requires the immediate change in the staff and administrative officers of the Guard with appropriate prompt allowances and pay. World War II experience indicates the necessity of immediate change in the qualifications for appointment of the Adjutant General and the Assistant Adjutant General in order to assure competent command and employment of the Guard."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 599—An act to amend Sections 321, 323, and 324 of the Military and Veterans Code, relating to the pay and allowances of enlisted men in the California National Guard, the furnishing of a uniform allowance to commissioned and warrant officers of the active militia and the pay and allowances of officers and enlisted men of the National Guard who perform special duty.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 7 of the title of the printed bill, after "duty", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 14, of said bill, after the period, insert

"An officer of the National Guard or Naval Militia may, with his consent, be detailed for special duty without expense to the State, except and provided, however, he may be paid his actual traveling expenses.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

It is essential that the postwar California National Guard be rapidly reorganized, equipped and paid. Enlistment depends upon proper, prompt compensation at the same rate as is adopted in the United States Army, and enlistment must be made immediately attractive to obtain a proper security force and before other organizations secure personnel that are now eligible for the National Guard."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 985—An act amending Section 431 of the Military and Veterans Code, relating to the control of armories by the Adjutant General, including the power to lease or otherwise authorize the use of the same, the creation of armory boards and their powers, the collection, payment and accounting of revenues and income from armories.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 6 of the title of the printed bill, after "armories", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, of said bill, after line 20, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The prompt postwar reorganization of the California National Guard requires the immediate change and clarification of the powers of the Adjutant General with reference to the control and administration of armory boards and armories to enable the prompt construction of new armories and the effective and economical use of military facilities."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 163—An act to amend Section 890 and 891 of the Military and Veterans Code, relating to veterans' dependents.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 164—An act to amend Section 950 of the Military and Veterans Code, relating to the purchases of farms and homes by veterans of World War II.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 181—An act to amend Section 215 of the Revenue and Taxation Code, relating to veterans organizations.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 231—An act to repeal Section 206.7 of the Welfare and Institutions Code, relating to reports concerning veterans in county institutions.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 369—An act to amend Section 80 of the Military and Veterans Code, relating to the powers and duties of the Director of Veterans Affairs.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 371—An act to add Section 899 to the Military and Veterans Code, relating to veterans education.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 373—An act to amend Sections 690, 694, 695, 698, 699, 700, 802, 831, 842, 986.8, 986.9, 987, 987.1, 987.2, 987.3, 987.4, 987.5, 987.6, 987.7, 987.8, 987.9, 987.10, 988, 988.2, and 988.3 of the Military and Veterans Code, relating to the Veterans Welfare Board and Department of Veterans Affairs.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 527—An act to amend the Palo Verde Irrigation District Act, as amended, by amending Section 26, relating to estimates for levy of taxes and Section 28, relating to levy of taxes and by adding Section 28.1, relating to particular purpose taxes and by reenacting Sections 69 and 72, relating to the inclusion of lands in said district, all relating to the Palo Verde Irrigation District.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Water Resources:

Amendment No. 1

In line 2 of the title of the printed bill, after "amending", insert "Section 10, relating to powers and duties of the Board of Trustees,".

Amendment No. 2

In line 4 of the title of said bill, after "taxes", insert "and Section 27.1, relating to assessor's maps".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, immediately preceding line 1, insert
"SECTION 1. Section 10 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 10. The board of trustees of the district, in addition to all other powers and duties prescribed by this act, shall have the following powers and duties:

1. To keep a record of all its proceedings and minutes of its meetings, which meetings shall be public, and all records of the district shall be open to the public for inspection during reasonable business hours.

2. To manage and conduct the business and affairs of the district; make and execute all necessary contracts, employ and appoint such agents, officers and employees as may be required, and prescribe their duties, and to discharge all employees. The board and its agents and employees shall have the right to enter upon any land to make surveys, and may locate the necessary irrigation, protection, reclamation or other works or improvements, and the line of canals or conduits, and their incidental

branches and laterals; also for the location of levees, dikes or other structures which may be deemed proper.

3. Said board shall also have the right to acquire, by purchase, lease or condemnation, or other lawful means, all lands and waters or water rights and other property necessary for construction, use, supply, maintenance, repair and improvements of any and all irrigation plants or systems under its control, or to be acquired or controlled by the district, or for the construction, use, supply, maintenance, repair or improvement of any and all levees, protection works, drainage or reclamation work under its control or to be acquired and controlled by the district, whether any such properties be in this or other states and also where necessary or convenient in carrying out the purposes of this act, to acquire and hold the stock of other corporations, domestic or foreign, owning waters, canals, water works, franchises, concessions or rights, levees or drainage works. Said board may enter into and do all acts necessary or proper for the performance of any agreements with the United States or any state, county or district of any kind, public or private corporation, association, firm, or individual, or any number of them, for the joint acquisition, construction, leasing, ownership, disposition, use, management, maintenance, repair or operation of any levees, works or other property of any kind which might lawfully be acquired or owned by the district, and may acquire the right to store water in any reservoir or to carry water through any canal, ditch or conduit not owned or controlled by the district, and may grant to any owner or lessee, the right to the use of any water, the right to store such water in any reservoir of the district, or to carry such water through any canal, ditch or conduit of the district. And may likewise enter upon any acts necessary or proper for the performance of any agreements with the United States or any state, county, or district, corporation, firm or individual or any number of them, for the joint acquisition, construction, maintenance or repair of any levees or other protection works or drainage or other reclamation works.

4. To construct dams, reservoirs and works for the collection of water for the district, and to do any and every lawful act necessary to be done that sufficient water may be furnished to each landowner or inhabitant in the district for irrigation and domestic purposes, and may contract to supply water to any mutual water company within the district which is or may be organized to furnish water to certain specified lands within the district, provided the lands so supplied by any such mutual water company are within this district, and may contract for supplying such lands with water through such mutual water companies.

The board is authorized and empowered to take conveyances, leases, contracts or other assurances for all property acquired by it under the provisions of this act, in the name of this district, to and for the uses and purposes herein expressed, and to institute and maintain any and all actions and proceedings, suits at law or in equity, necessary or proper in order to fully carry out the provisions of this act, and to enforce, maintain, protect or preserve any and all rights, privileges and immunities created by this act or acquired in pursuance thereof, and may appear and defend in person or by attorneys in the name of such irrigation district.

5. The legal title to all property acquired under the provisions of this act shall immediately, by operation of law, vest in the district, and shall be held by the district in trust for, and is hereby dedicated and set apart to, the uses and purposes set forth in this act. And said board is hereby authorized and directed to hold, use, manage, keep and possess, said property as herein provided. The board may determine by resolution duly entered upon its minutes, that any property, real or personal, held by such irrigation district, is no longer necessary to be held for the uses and purposes thereof, and may thereafter sell such property, and a conveyance of any property held by this district, executed by the president and secretary thereof, in accordance with the resolution of the board of trustees of such district, when sold for a valuable consideration, shall convey a good title to the property so conveyed.

6. It shall be the duty of the board of trustees to establish suitable by-laws, rules and regulations for the distribution and use of water among the owners of lands, which must be printed in convenient form for the use of the district. Said board may fix and collect rates of tolls and charges, for the purposes, and in the manner in this act provided.

Said board may provide, by uniform rules and regulations, that water shall not be furnished to persons against whom, or for use upon land on which, there are delinquent water tolls or charges or delinquent district taxes.

7. When the board of trustees deems it advisable for the best interests of the district and the convenience of the electors thereof, it may at any time, but not less than 60 days before an election is to be held in the district, divide the district into divisions or precincts for election purposes, but such divisions shall be made as nearly equal in area or population as may be practicable. The boundaries of the divisions and precincts or any subsequent changes therein must be shown on the minutes of the board. Should the district be divided into divisions or precincts by the board of trustees for the purpose of holding elections thereafter, any property-owner owning property in one or more precincts or divisions, must cast the ballots represented by his respective parcels in each precinct where such parcels are situate respectively, and if any such parcel lies partly in one precinct and partly in another, he may cast the ballots represented thereby in either, but before doing so he must notify the election board in the

other precinct of his intention to do so, in order that the election board may note the ballots represented by said land as having been voted.

8. After the first election of trustees held in pursuance of the provisions of this act, all subsequent regular elections shall be called annually at the times fixed for the holding of the annual election, and the trustees shall cause notice of such election to be given for the period and in the manner hereinbefore prescribed in reference to the first election, and the trustees shall perform all the duties in respect to giving notice of the election, establishing election boards, providing the ballots and assessment roll records necessary for conducting the election, designating voting places, causing the returns to be canvassed, and the results declared, which have been imposed upon the supervisors in respect to the first election.

Likewise, the board of trustees shall perform all the acts necessary for calling and conducting special elections provided for in this act.

In all elections for trustees the persons receiving the highest number of votes shall be deemed elected for the office to be filled, provided, that if among the persons receiving the highest number of votes there shall be so many persons who are not resident in said district that the aggregate number of trustees whose terms have not expired who are not resident in said district added to such number of nonresident persons voted for shall exceed three, then the nonresident or nonresidents having the lowest number of votes shall be deemed not elected and the person or persons receiving the next highest number of votes who are resident in said district shall be deemed elected, so that not less than a majority of the trustees shall be residents of the district. If an election is not held as herein provided, then upon the filing of a petition with the secretary of the board of trustees, signed by property owners owning real property assessed upon the last preceding equalized assessment roll at not less than the aggregate of five thousand dollars, requesting that a special election be called for the election of officers, the trustees of such district shall thereupon call a special election for the election of such officers, such election to be held within not less than 40 days after the filing of such petition.

Each member of the board of trustees shall qualify by executing an official bond in the sum of five thousand dollars on or before noon of the tenth day following his election, which bond shall thereafter be approved by a judge of the superior court of Riverside County, and be recorded in the office of the county [treasurer] recorder thereof, and filed with the secretary of the board. All official bonds herein provided for shall be in the form prescribed by law for the official bonds of the county officers, and premium thereof may be paid by the district.

9. Said board of trustees shall have the power at any time that, in its judgment, as declared by order entered in its minutes, the expenditure of money is absolutely necessary to the welfare of the district and the accomplishment of the purposes of this act, and there is no money in the fund of said district to make such necessary expenditures or the money in said fund is insufficient to make such necessary expenditures, to borrow for any period of time, not exceeding one year, such sum, not exceeding one hundred thousand dollars as may be necessary to make such expenditure, and may evidence such indebtedness by the note or notes of said district, executed by its president and secretary, and bearing interest at not more than 7 percent per annum.

10. The board of trustees shall also have power generally to perform all other such acts as shall be necessary to fully carry out the purpose of this act."

Amendment No. 4

On page 1, line 1, of said bill, strike out "Section 1", and insert "SEC. 2".

Amendment No. 5

On page 2 of said bill, between lines 13 and 14, insert

"SEC. 3. A new section is hereby added to said act to be numbered Section 27.1 and to read as follows:

Sec. 27.1. Whenever a tract of land within the district comprises parcels owned by several owners, the board of trustees may by resolution cause an official map of said tract to be made, giving specific portions of said tract separate numbers, letters or designations, and indicating streets, roads and other public places by appropriate names. When any such official map has been adopted by resolution of the board of trustees and filed in the office of the assessor, it shall thereafter be lawful for the assessor, in assessing any parcel of land shown thereon, for district purposes, to describe such parcel by lot number, letter or designation as delineated upon such map. Such map may consist, in whole or in part, of a copy of another map or compilation from other map, or a resurvey or renumbering or relettering of parcels of land in such tract. Any surveys and the field notes thereof made in connection with such map shall become part of the records of the assessor. The assessor may also describe property for assessment purposes by reference to a map other than an official map, as herein above provided for, whenever such map has been furnished by the owner or claimant or user of property to be assessed, provided that such map contains sufficient information for identification of the property to be assessed and is filed with the assessor."

Amendment No. 6

On page 2, line 14, of said bill, strike out "2", and insert "4".

Amendment No. 7

On page 3, lines 4 and 5, of said bill, strike out "and improvements thereon".

Amendment No. 8

On page 3 of said bill, strike out lines 17 and 18, and insert "There shall be two funds of said district, the bond and interest fund, and the general fund. The bond and interest fund shall be kept by the county treasurer. The general fund shall be deposited in one or more reputable banks in Riverside County which are members of the Federal Reserve System."

Amendment No. 9

On page 4, line 1, of said bill, strike out "3", and insert "5".

Amendment No. 10

On page 4, line 20, of said bill, strike out "4", and insert "6".

Amendment No. 11

On page 4, line 31, of said bill, strike out "5", and insert "7".

Amendment No. 12

On page 4, line 45, of said bill, strike out "6", and insert "8".

Amendment No. 13

On page 1, line 20, of said bill, strike out "Capital construction", and insert "Construction".

Amendment No. 14

On page 1, line 21, of said bill, strike out "Capital construction", and insert "Construction".

Amendment No. 15

On page 2, line 50, of said bill, strike out "capital".

Amendment No. 16

On page 3, line 2, of said bill, strike out "capital".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 219—An act to amend Section 9028.5 of the Business and Professions Code, relating to proceedings for the suspension or revocation of certificates of registered social workers.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 223—An act to amend Sections 5100, 5101, and 5104 of the Business and Professions Code, to repeal Sections 5102 and 5103 thereof, to add a new Section 5102 thereto, and to repeal Section 3 of an act entitled "An act to repeal Chapter 1, comprising Sections 5000 to 5044, inclusive, of Division 3 of, and to add a new Chapter 1, comprising Sections 5000 to 5132, inclusive, to Division 3 of, the Business and Professions Code, relating to the creation of a State Board of Accountancy, and prescribing its duties and powers; regulating the practice of public accountancy and requiring persons engaged in the practice thereof to obtain annual permits to practice; providing for the examination of and issuance of the certificate of certified public accountant to qualified applicants and for the continuance of certified public accountant certificates issued under prior acts; and providing penalties for violations of the provisions of this act," approved July 13, 1945, all relating to accountancy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 250—An act to repeal Chapter 10 of Division 2 of the Business and Professions Code, relating to trained hospital attendants.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 252—An act to amend Section 2798 of the Business and Professions Code, relating to nursing and nursing schools.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 221—An act to amend Sections 9594 and 9595 of the Business and Professions Code, relating to the regulation and licensing of cleaning, dyeing and pressing establishments and persons engaged therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 15 and 16.

Amendment No. 2

On page 1, line 17, of the printed bill, strike out "(4)", and insert "(3)".

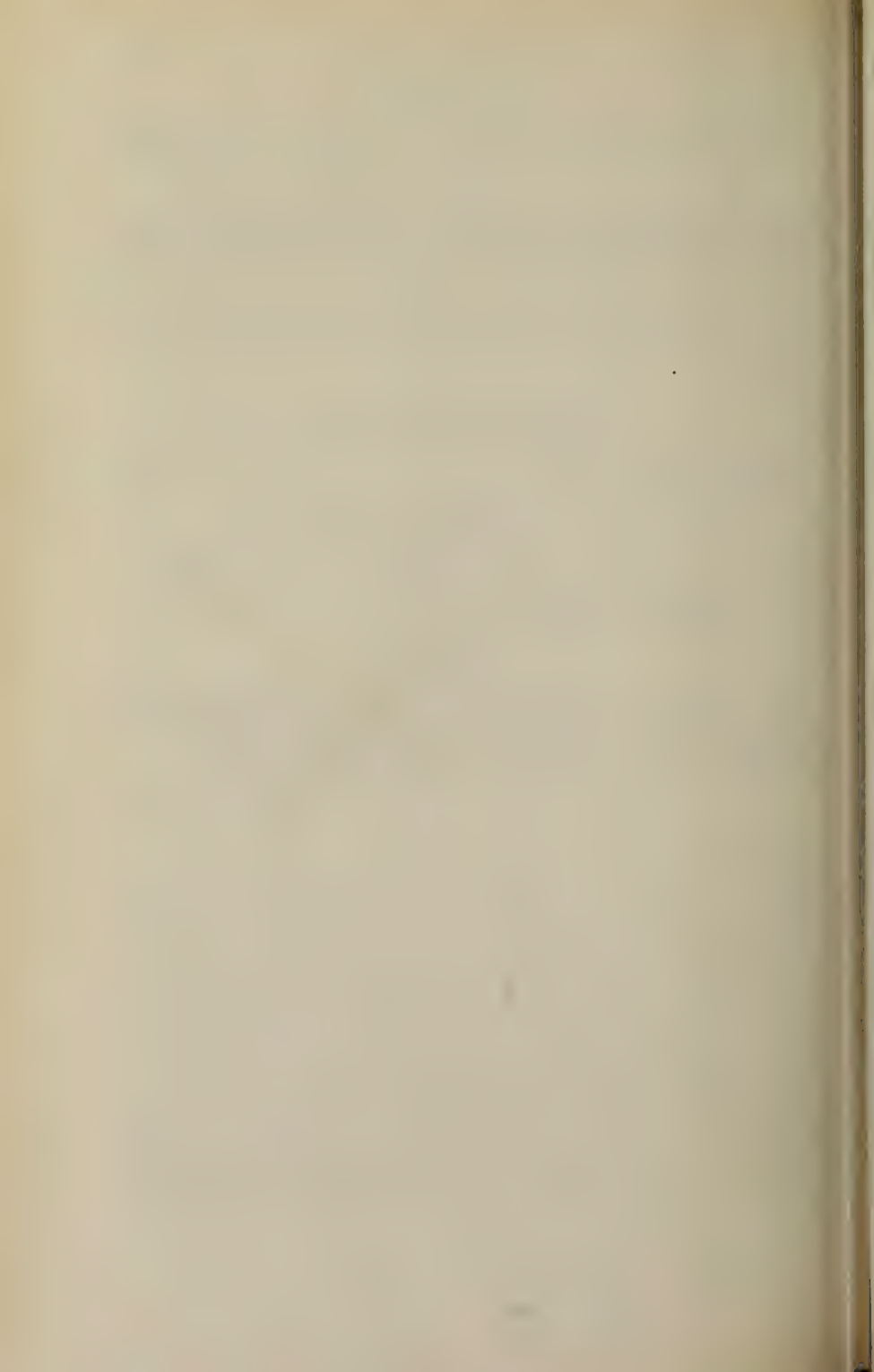
Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

ADJOURNMENT

At 12.20 p.m., on motion of Senator Slater, the President declared the Senate adjourned until 2 p.m., Monday, March 24, 1947, out of respect to the memory of the late George E. Zoller.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

TWENTY-NINTH LEGISLATIVE DAY

SEVENTY-EIGHTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, March 24, 1947

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—35.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Sutton, on motion of Senator Powers, due to legislative business.

Senator Tenney, on motion of Senator Powers, due to legislative business.

Senator Burns, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss June Jane Ripley of Turlock.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Clark S. Jacobs of Waterman.

On request of Senators O'Gara, Desmond, and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Walter S. Rountree and Mrs. Leo P. Bell of Sacramento.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Lisle W. Bray, Sr., of Sacramento.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. H. McInturff, County Treasurer of Kings County, Hanford.

On request of Senators Kraft and Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Jack Frost and Mrs. Ralph Carlson of Stockton.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 130
Assembly Bill No. 401
Assembly Bill No. 724
Assembly Bill No. 1003
Assembly Bill No. 1048
Assembly Bill No. 1122
Assembly Bill No. 1334
Assembly Bill No. 2263
Assembly Bill No. 406

Assembly Bill No. 4
Assembly Bill No. 519
Assembly Bill No. 562
Assembly Bill No. 563
Assembly Bill No. 564
Assembly Bill No. 224
Assembly Bill No. 1005
Assembly Bill No. 1668

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 727
Assembly Bill No. 2273

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 130—An act to amend Section 699.5 of the Military and Veterans Code, relating to the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 401—An act to add Section 120.7 to the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Referred to Committee on Social Welfare.

Assembly Bill No. 724—An act to amend Sections 3077, 3080, and 3081 of the Welfare and Institutions Code, relating to applications for aid to the blind, changing the contents thereof, and simplifying the procedures for supplying and filing such applications.

Referred to Committee on Social Welfare.

Assembly Bill No. 1003—An act to amend Section 10270.7 of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1048—An act to add Section 3084.3 to the Welfare and Institutions Code, relating to aid to the needy blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 1122—An act to amend Section 3793.5 and to repeal Section 3807.8 of the Revenue and Taxation Code, relating to notices on purchases of tax-deeded property by taxing agencies.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1334—An act to amend Sections 7 and 26 of the Construction and Employment Act, relating to the State Allocation Board and to allocation of state funds to local agencies for the construction of public works.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 2263—An act to amend Sections 1010, 1011, 1014, 1018, 1019, 1023, 1026, 1027, 1030, 1030.1, 1030.2, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1039.3, 1044, 1046, 1080, 1081, 1083, 1085, and 1088 of, to repeal Sections 1024 and 1084 of, and to add Sections 1091, 1092, 1093, and 1094 to, the Military and Veterans Code, relating to the Veterans' Home of California and to the Woman's Relief Corps Home of California.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 406—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Referred to Committee on Social Welfare.

Assembly Bill No. 4—An act to amend Section 737j of the Political Code, relating to the salaries of judges of the superior court.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 519—An act to amend Section 17091 of the Government Code, relating to lost or destroyed warrants.

Referred to Committee on Judiciary.

Assembly Bill No. 562—An act to amend Section 574 of the Welfare and Institutions Code, relating to referees in juvenile courts.

Referred to Committee on Judiciary.

Assembly Bill No. 563—An act to amend Section 880 of the Welfare and Institutions Code, relating to the transfer of juvenile court cases.

Referred to Committee on Judiciary.

Assembly Bill No. 564—An act to amend Section 633 of the Welfare and Institutions Code, relating to the term of office of probation

officers in counties not having charters or merit or civil service systems governing such terms.

Referred to Committee on Judiciary.

Assembly Bill No. 224—An act to amend Section 1557 of the Penal Code, relating to fugitives from justice.

Referred to Committee on Judiciary.

Assembly Bill No. 1005—An act to amend Section 10203.5 of the Insurance Code, relating to insurance.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1668—An act to add Section 7.5 to the Welfare and Institutions Code, relating to administration of oaths.

Referred to Committee on Judiciary.

Assembly Bill No. 727—An act to add Section 3082.1 to the Welfare and Institutions Code, relating to aid to the blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 2273—An act to provide for a comprehensive survey of the System of Publicly Supported Higher Education in California, including the junior colleges, the state colleges and the University of California and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 32

Assembly Joint Resolution No. 33

ARTHUR A. OHNMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

Assembly Joint Resolution No. 32—Relating to memorializing Congress and the President to retain the identity of the Marine Corps in any unification of the armed forces.

Referred to Committee on Military and Veterans Affairs.

Assembly Joint Resolution No. 33—Relative to accepting amendments to permits from the Government of the United States for the construction of approach roads and toll collection areas over certain rights of way leading to the Golden Gate Bridge, and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way as relocated and said toll areas, bridge ends and bridge.

Referred to Committee on Transportation.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 613

Assembly Bill No. 614

Assembly Bill No. 901

Assembly Bill No. 902

Assembly Bill No. 1121

Assembly Bill No. 1395

Assembly Bill No. 1398

Assembly Bill No. 1988

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 613—An act to amend Section 12922 of the Insurance Code, relating to printing for the Department of Insurance.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 614—An act to amend Sections 9765, 9791, 13538, 13571, 13576, and 13579, and to repeal Sections 13572, 13574, 13575, 13577, 13580, and 13604 of, the Government Code, relating to the State Printing Office.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 901—An act to amend the title of Chapter 1 and of Part 2, Division 2, of the Military and Veterans Code, relating to the name of the California High School Cadet Corps; to amend Sections 500, 500.1, 501, 502.1, 502.2, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512.1, 513.1, 514, 515.1, 516, 516.1, 517, 520.1, and 530 of the said code, relating to the admission of colleges and junior colleges to the high school cadet program, the change in name of the high school cadet corps, the adoption of rules and regulations for the control of the cadet corps, the appointment of commandants, assistant commandants and assistant commandants, junior grade, the commissioning of cadet supervisors, the regulation of cadet uniforms and insignia, the organization of the cadet corps, the appointment of cadets officers and noncommissioned officers and their promotion, dismissal from the corps and the discipline of the corps, limitations as to formation of cadet corps, preparation of cadet instruction, inspections, marksmanship instruction, issuance of military property to cadets including rifles, schools and conferences for personnel, establishment of cadet units in private educational institutions, and commissioning of officers in military academies and professors of military science and tactics.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 902—An act to amend Sections 128, 143, 145, 146, 147, 167, 168, 170, 255, 340, 360, 361, 366, 421, 422 of the Military and Veterans Code, relating to the addition of the unorganized militia when called into the service of the State and its employment in the same situations as the National Guard when necessary, the description of circumstances in which the military forces may be employed, the creation of an offense for violation of a military proclamation, the change in name of the office of Adjutant General, the wearing of a military uniform, the equipment of the unorganized militia when called into the service of the State and the extension of compensation benefits to such militia when so employed, the wrongful disposition of

military property, a system of discipline for the unorganized militia when called into the service of the State, and the employment of the unorganized militia when called into the service of the State.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 1121—An act to amend Section 14797 of the Revenue and Taxation Code, relating to maximum commissions that may be retained by county treasurers out of inheritance taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1395—An act to repeal Section 395.7 of the Military and Veterans Code, relating to rights of restoration to former or like positions by members of the State Guard leaving private employment for active service in the State Guard.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 1398—An act amending Section 395 of the Military and Veterans Code, relating to the pay and allowances of National Guard officers and enlisted men while on active duty in the service of the State and attending drills, camps or special exercises sponsored by federal authority or while serving in cases of an emergency; the right to be reinstated to employment following return from full-time active duty after an emergency and the procedure therefor, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 1988—An act to amend Section 10971 of the Insurance Code, relating to fraternal benefit insurance.

Referred to Committee on Financial Institutions.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 335

Senate Bill No. 389

Senate Bill No. 620

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 41

Senate Bill No. 1129

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 221

Senate Bill No. 599

Senate Bill No. 224

Senate Bill No. 985

Senate Bill No. 344

Senate Bill No. 1474

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 21, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 59
Senate Bill No. 60
Senate Bill No. 114
Senate Bill No. 163
Senate Bill No. 164
Senate Bill No. 181
Senate Bill No. 219
Senate Bill No. 222
Senate Bill No. 223
Senate Bill No. 225
Senate Bill No. 231

Senate Bill No. 250
Senate Bill No. 252
Senate Bill No. 369
Senate Bill No. 371
Senate Bill No. 373
Senate Bill No. 445
Senate Bill No. 601
Senate Bill No. 674
Senate Bill No. 676
Senate Bill No. 1420

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 527
Senate Bill No. 596
Senate Bill No. 598

Senate Bill No. 602
Senate Concurrent Resolution No. 29

And reports the same correctly engrossed.

POWERS, Chairman

LETTER OF TRANSMITTAL

SENATE CHAMBER, STATE CAPITOL

SACRAMENTO, March 24, 1947

Honorable Goodwin J. Knight

President of the Senate

Senate Chamber, Sacramento, California

MR. PRESIDENT: Pursuant to Resolution Chapter 143 of the Statutes of 1945 and Resolution Chapter 32 of the Statutes of 1947, the Joint Fact-Finding Committee on Un-American Activities was continued in existence with the following members:

Senator Jack B. Tenney, Chairman
Senator Hugh M. Burns
Senator Nelson S. Dilworth
Senator Frank L. Gordon
Assemblyman Randal F. Dickey
Assemblyman Harold F. Sawallisch
Assemblyman Fred H. Kraft
Assemblyman John F. Thompson

There is submitted herewith the report of the investigations of the committee.

The committee gratefully acknowledges the cooperation of the many citizens.

Respectfully submitted.

FOR SENATOR JACK B. TENNEY, Chairman
BY NELSON S. DILWORTH, Vice Chairman

MOTION TO PRINT COPIES OF REPORT

Senator Dilworth moved that 5,000 copies of the Report of the Joint Fact-Finding Committee on Un-American Activities be printed for distribution.

Motion carried.

MOTION TO APPROVE JOURNALS

Senator Powers moved that the Journals of Monday, March 17, 1947; Tuesday, March 18, 1947; Wednesday, March 19, 1947; Thursday, March 20, 1947; and Friday, March 21, 1947, be approved as corrected by the Minute Clerk, and the Journal Clerk.

Motion carried.

RECESS

At 2.20 p.m., on motion of Senator O'Gara, the Senate recessed until 2.41 p.m., to hear the remarks of Harper W. Poulson, chairman of the committee representing the various veterans' organizations of California regarding veterans housing. The following members of the committee were introduced to the Senate: Alvin Jackson, American Veterans Committee; Hank Richardson, Painters Local No. 5, Los Angeles; William Belton, C. I. O. Veterans Bureau, Los Angeles; Julius Keller, Chairman, Veterans Housing Committee, San Francisco; and Carl D. Brown, Veterans of Foreign Wars, Post 952, Huntington Park.

REASSEMBLED

At 2.41 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, SENATE

SACRAMENTO, March 20, 1947

Honorable Goodwin J. Knight, President

Members of the Senate

State Capitol, Sacramento, California

GENTLEMEN: Although the "Food and Fibre Act" passed by the Second Extraordinary Session of the Fifty-fifth Session, 1943, creating the Farm Production Council, does not specifically require a report to the Legislature, as Chairman of the Joint Interim Committee on Livestock and Agricultural Problems, I requested a report on the activities of the California Farm Production Council from July 1, 1943, to March 1, 1947. This was in accordance with the precedent established two years ago at which time I requested a similar report which was printed in the Senate Journal of the Fifty-sixth Session at page 72, et seq. I hand you herewith the report made by the Farm Production Council in answer to that request.

GEORGE J. HATFIELD, Chairman
Joint Interim Committee on Livestock
and Agricultural Problems

MOTION TO PRINT COPIES OF REPORT

Senator Hatfield moved that 2,500 copies of the Report of Activities of the California Farm Production Council be printed for distribution.

Motion carried.

**CONSIDERATION OF DAILY FILE
MOTION TO RECONSIDER**

Senate Bill No. 947—An act to amend Section 880 of the Fish and Game Code, relating to nets.

Motion to Reconsider Waived

Senator Crittenden waived his motion to reconsider the vote whereby Senate Bill No. 947 was passed.

SECOND READING OF SENATE BILLS

Senate Bill No. 497—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "1949", and insert "1951".

Amendment No. 2

On page 1, line 6, of said bill, after the period, insert "No claims for payment in connection with such applications shall be allowed unless the same are presented to the Director of Finance on or before June 30, 1952, except in cases of condemnation proceedings to acquire real property instituted prior to and pending on the latter date."

Amendment No. 3

On page 1, line 21, of said bill, after the period, insert "It is essential that the preparation of plans and the acquisition of sites for the postwar public works program contemplated by the act cited in the title hereof proceed without delay and therefore it is necessary that this act go into effect immediately."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 949—An act to add Article 7.5 to Chapter 1, Division 4, Title 1 of the Government Code, relating to strikes by government officers or employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "or agency." and insert "agency, or public corporation."

Amendment No. 2

On page 1, line 15, of the printed bill, after "district", insert "(including, but not limited to, any school district, water district, irrigation district, hospital district, sanitary district and cemetery district)".

Amendment No. 3

On page 1, line 18, of the printed bill, after "office", strike out "of", and insert "or".

Amendment No. 4

On page 1 of the printed bill, after line 26, insert

"1204. Notwithstanding any other provision of law, a person violating the provisions of this article may be appointed, reappointed, employed or reemployed, as a public employee, but only upon the following conditions:

(a) His compensation shall not exceed that received at the time of such violation;

(b) The compensation of such person shall not be increased until after the expiration of three years from such appointment or reappointment, employment or reemployment; and

(c) Such person shall be on probation for a period of five years following such appointment or reappointment, employment or reemployment, during which period he shall serve without tenure at the pleasure of the appointing officer or body."

Amendment No. 5

On page 2, line 1, of the printed bill, strike out "1204", and insert "1205".

Amendment No. 6

On page 2 of the printed bill, after line 6, insert

"1206. As used in this article "strike" means the failure to report for duty, the wilful absence from one's position, the stoppage of work, or the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment, for the purpose of inducing, influencing or coercing a change in the conditions, or compensations, of the rights, privileges or obligations of employment; provided, however, that nothing contained herein shall be construed to limit, impair or effect the right of any public employee to the expression or communication of a view, grievance, complaint or opinion on any matter related to the conditions or compensation of public employment so long as the same is not designed to and does not interfere with the full, faithful and proper performance of the duties of employment."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 1334—An act to add Section 18104 to the Government Code, relating to sick leave of state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 7, of the printed bill, change the period to a comma, and insert "provided, however, that if such state employee is an adherent of the teachings of any well-recognized church, sect, denomination, or organization and depends upon prayer for healing in the practice of such teachings, a certificate from a practitioner of such church, sect, denomination, or organization stating that the employee is under treatment by the practitioner shall be accepted."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 363—An act to amend Section 2 and to repeal Section 3.5 of the Property Acquisition Act, relating to the Property Acquisition Board, declaring the urgency thereof, and providing this act shall take effect immediately.

Bill read second time.

Motion to Amend

Senator Mayo moved the adoption of the following amendment:

Amendment No. 1

In line 2 of the title of the printed bill, after "to", insert "the membership, powers, and duties of".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 471—An act to amend Sections 7 and 26 of the Construction and Employment Act, relating to the State Allocation Board and to allocation of state funds to local agencies for the construction of public works.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 472—An act to amend Sections 5 and 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and acquisition of rights-of-way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations, approved June 20, 1944," abolishing the Postwar Public Works Review Board and transferring its duties, powers, purposes, responsibilities and jurisdiction to the State Allocation Board.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 564—An act to amend Section 3 of the Property Acquisition Act, relating to the acquisition of property by the State in connection with the postwar construction program.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 647—An act to amend Sections 20921 and 20922 of the Government Code, relating to crediting members with state service for time employed in federal service, under certain conditions, in connection with the State Employees' Retirement System.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1075—An act to add Section 6.15 to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1308—An act to amend Section 20130 of the Government Code, relating to the State Employees' Retirement System in respect to the rate of interest adopted by the Board of Administration.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1309—An act to amend Section 13661 of the Government Code, relating to the distribution of state publications.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1350—An act to amend Section 18101 of the Government Code, relating to sick leave.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1411—An act to repeal Part 8, comprising Sections 15530 to 15565, inclusive, of Division 3 of Title 2 of the Government Code, relating to the State Reconstruction and Reemployment Commission, and providing for the transfer of money to the General Fund, and for the transfer of property to the Department of Finance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1416—An act to repeal Chapter 1 of the Fifty-fifth (Second Extraordinary) Session, Chapter 49 of the Fifty-fifth (Fourth Extraordinary) Session Chapters 32 and 1053 of the Fifty-sixth Session, and Chapter 139 of the Fifty-sixth (First Extraordinary) Session of the Legislature, relating to food and fiber production; and providing for the transfer of money to the General Fund and for the transfer of property to the Department of Finance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 672—An act making an appropriation for a teacher training program in special education at a state college, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 3, of the printed bill, after "of", strike out "-----", and insert "thirty-five thousand".

Amendment No. 2

On page 1, line 3, of said bill, strike out "(\$-----)", and insert "(\$35,000)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 530—An act to add Sections 12130.1 and 12406 to the Education Code, relating to the provisional general elementary credential.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 12406", and insert "12400.1 and 12402.1".

Amendment No. 2

In line 1 of the title of said bill, after the comma, insert "and to amend Sections 12400 and 12402 of said code, all".

Amendment No. 3

In line 2 of the title of the printed bill, after "credential", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, line 8, of said bill, after "sixty", insert "semester".

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, strike out lines 13 to 23, inclusive, and insert

"SEC. 2. Section 12400 of said code is amended to read:

12400. Valid certification documents shall be renewed under such conditions as the State Board of Education may prescribe[.], *except as otherwise provided in this article.*

SEC. 3. Section 12400.1 is added to said code, to read:

12400.1. A provisional elementary credential may be renewed if the holder thereof has during the two years preceding his application for renewal completed not less than 12 semester units of work with a grade of C or better on a five-point scale in a California teacher training institution accredited by the State Board of Education and has met such additional requirements as may be prescribed by said board.

SEC. 4. Section 12402 of said code is amended to read:

12402. The State Board of Education shall establish the expiration date for each kind of certification document [.] , *except as otherwise provided in this article.*

SEC. 5. Section 12402.1 is added to said code, to read:

12402.1. The expiration date of a provisional elementary credential is two years after the date of issuance thereof.

SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

It is imperative for the welfare of the pupils of the Public School System that persons now teaching in the public schools under emergency credentials be given an opportunity to qualify for regular credentials under appropriate conditions. This measure provides that opportunity and in order that all the pupils of the public schools be assured of instruction, at the earliest possible time, of fully qualified teachers, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 950—An act to amend Sections 12135, 12136, 12302, 12304, 12405, 12502, and 13051 of the Education Code, to add Sections 12142, 12405.1, and 12406 to said code, and to repeal Section 13052 of said code, all relating to certification documents authorizing service in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 3, line 27, of the printed bill, after "of", insert "a".

Amendment No. 2

On page 3, line 44, of said bill, strike out "amounts of any such refund are", and insert "amount of any such refund is".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 338—An act to amend Sections 21171 and 21173 of the Education Code, relating to cruises of vessels of the California Maritime Academy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 339—An act to add Section 7006.1 to the Education Code, relating to emergency state aid to school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Amendment No. 8

On page 9, line 42, of said bill, after "board", insert "subject to such authorized leases as may be permitted by any indenture".

Amendment No. 9

On page 11 of said bill, between lines 29 and 30, insert

"20601. In lieu of deposit of moneys in the construction fund or in the revenue fund with the trustee, the board may provide for the deposit of such moneys with the State Treasurer of the State of California, and in that event said funds shall be kept separate and apart from all other funds in the State Treasury, and no moneys in the construction fund or revenue fund shall belong to or be transferred to any other fund or be used for any other purpose than as provided in the indenture.

20602. From the construction fund deposited in the State Treasury, there are hereby appropriated all sums necessary for the payment of construction costs. Out of any moneys deposited in the State Treasury to the credit of the revenue fund, there are hereby appropriated all moneys necessary for the payment of principal and interest and reserve fund requirements on the revenue bonds, and all other payments required under any indenture providing for the issuance of the revenue bonds. All such moneys may be withdrawn from the State Treasury pursuant to the appropriation hereby made on warrants drawn by the Controller of the State of California upon the request of the board whenever the drawing of such warrants is required in order to make such payments."

Amendment No. 10

On page 11, line 30, of said bill, strike out "20601", and insert "20603".

Amendment No. 11

On page 11 of said bill, following line 44, insert

"SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The need for housing facilities at the state colleges is urgent. The appropriation heretofore made for such facilities is insufficient and must be supplemented through the issuance and sale of revenue bonds. In order to make such supplemental funds available at the earliest possible moment, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

Senate Bill No. 428—An act to amend Section 4281 of the Political Code and Section 28152 of the Government Code, relating to compensation for public services in counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "----- (\$-----)", and insert "three thousand six hundred dollars (\$3,600)".

Amendment No. 2

On page 1, line 9, of said bill, strike out "----- (\$-----)", and insert "three thousand six hundred dollars (\$3,600)".

Amendment No. 3

On page 1, line 11, of said bill, strike out "----- (\$-----)", and insert "one thousand five hundred dollars (\$1,500)".

Amendment No. 4

On page 2, lines 12 and 13, of said bill, strike out "----- (\$-----)", and insert "three thousand six hundred dollars (\$3,600)".

Amendment No. 5

On page 2, line 15, of said bill, strike out "----- (\$-----)", and insert "three thousand six hundred dollars (\$3,600)".

Amendment No. 6

On page 2, line 17, of said bill, strike out "----- (\$-----)", and insert "one thousand five hundred dollars (\$1,500)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 466—An act to amend Section 274 of the Code of Civil Procedure, relating to phonographic reporters.

Motion to Amend

Senator Desmond moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Fees of Court Reporters."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 542—An act to amend Section 4004.5 of the Political Code and Section 23010 of the Government Code, relating to loans by counties.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 170—An act to add Section 13.1 to the County Waterworks District Act, relating to county waterworks districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 785—An act to add Chapter 4 to Division 10 of the Streets and Highways Code, relating to inter-city agreements limiting the power of vacation of public streets and highways.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1134—An act to add Section 205.5 to the Agricultural Code, relating to coordination of livestock sanitary services, making an appropriation and declaring the urgency hereof to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Senate March 20, 1947, strike out "four", and insert "two".

Amendment No. 2

On page 2 of the printed bill, as amended, between lines 27 and 28, insert "The provisions of this section shall be effective until the ninety-first day after final adjournment of the 1949 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to Section 22 of Article XX of the Constitution of said State, relating to intoxicating liquors.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 2 of the printed measure, strike out lines 3 to 6, inclusive.

Amendment read, and adopted.

Resolution ordered printed, and re-referred to Committee on Governmental Efficiency.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 616—An act to amend Section 12040 of the Government Code, relating to the membership of the Governor's Council.

Bill read second time, and ordered to third reading.

Assembly Bill No. 811—An act relating to the employment of prisoners confined in the California State Prison at San Quentin, and declaring the urgency thereof.

Bill read second time, and ordered to third reading.

Senator Carter Presiding

At 3 p.m., Senator Oliver J. Carter of the Fifth District, presiding.

MOTION TO RECONSIDER

Senate Bill No. 677—An act to amend Section 670 of the Fish and Game Code, relating to salmon.

Motion to Reconsider Senate Bill No. 677

Pursuant to his motion previously made, Senator Collier moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 677 was passed.

The roll was called, and Senate Bill No. 677 refused consideration by the following vote:

AYES—Senators Carter, Collier, Deuel, Donnelly, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Parkman, Powers, Weybret, and Williams—15.

NOES—Senators Breed, Brown, Busch, Crittenden, Cunningham, Dillinger, Dilworth, Gordon, O'Gara, Quinn, Rich, Slater, Swing, and Watson—14.

Senate Bill No. 677 ordered transmitted to the Assembly.

WITHDRAWAL FROM COMMITTEE OF ASSEMBLY JOINT**RESOLUTION NO. 33**

Senator Keating moved that Assembly Joint Resolution No. 33 be withdrawn from Committee on Transportation, for purpose of consideration.

Motion carried.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 33

Assembly Joint Resolution No. 33—Relative to accepting amendments to permits from the Government of the United States for the construction of approach roads and toll collection areas over certain rights of way leading to the Golden Gate Bridge, and relating to the retrocession by the Congress of the United States of jurisdiction over

said rights of way as relocated and said toll areas, bridge ends and bridge.

Resolution read, and presented by Senator Keating.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Quinn, Slater, Swing, Watson, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 144—An act making an appropriation to the Division of Beaches and Parks for the acquisition and development of the gold discovery site, declaring the urgency therefor, to take effect immediately.

Motion to Refer Bill to Inactive File

Senator Dillinger moved that Senate Bill No. 144 be placed on the inactive file.

Motion carried.

Senate Bill No. 58—An act to amend Sections 85 and 86 of the Fish and Game Code, relating to districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, O'Gara, Parkman, Rich, Slater, Swing, Watson, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 335—An act to amend Section 4239 of the Political Code, and Section 28110 of the Government Code, relating to compensation for public service in counties of the tenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Slater, Swing, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 620—An act to amend Section 4250 of the Political Code and 28121 of the Government Code, relating to compensation for public services in counties of the twenty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating,

Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to have Senate Bills Nos. 791 and 790 passed on file, and that they retain their place on file.

Senate Bill No. 449—An act to amend Section 1019 of the Fish and Game Code, relating to expenditure of revenues.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—32.

NOES—Senator Quinn—1.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1243—An act to amend Section 13293 of the Government Code, relating to revolving fund advances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Swing, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1442—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 60—An act to amend Section 4248 of the Political Code and Section 28119 of the Government Code, relating to compensation for public services in counties of the nineteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating,

Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 114—An act to amend Section 2.6 of the Planning Act, relating to compensation of members of the commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—31.

NOES—Senator Donnelly—1.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1420—An act to add Article 3 to Chapter 1 of Division 2 of the Fish and Game Code, relating to the protection of fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 445—An act to amend Section 1015 of the Fish and Game Code, relating to privilege taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, O'Gara, Powers, Rich, Slater, Swing, Ward, Watson, and Weybret—26.

NOES—Senators Collier, Kraft, and Quinn—3.

Bill ordered transmitted to the Assembly.

Senate Bill No. 222—An act to amend Section 16 of the Corporate Securities Act, relating to void securities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Swing, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 224—An act to amend Section 2 of the Corporate Securities Act, relating to exemptions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Jespersen,

Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Senator Desmond Presiding

At 3.55 p.m., Senator Earl D. Desmond, of the Nineteenth District, presiding.

Senate Bill No. 225—An act to amend Section 4 of the Corporate Securities Act, relating to the issuance of permits.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1129—An act authorizing the Director of Natural Resources, with the approval of the State Park Commission, to exchange certain lands in the County of Santa Cruz, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 41—An act to amend Section 4253 of the Political Code and Section 28124 of the Government Code, relating to the compensation for public service in counties of the twenty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 29—Relative to amendment of the Joint Rules concerning the manner of designating legislative sessions.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 432

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

Assembly Bill No. 432—An act making an appropriation in augmentation of the appropriation in Item 187 of the Budget Act of 1945, payable from the Motor Vehicle Fund, for support of the Department of Motor Vehicles, to take effect immediately.

Referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, March 24, 1947

MR. PRESIDENT: The Committee on Water Resources, to which was referred: Senate Bill No. 359

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

HULSE, Vice Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolutions were offered:

Senate Concurrent Resolution No. 30: By Senators Powers and Deuel—Relative to creating an Interim Committee on Remodeling the State Capitol.

Referred to Committee on Rules.

Senate Joint Resolution No. 14: By Senators O'Gara and Kraft—Relative to memorializing the President and the Congress of the United States in relation to appropriations affecting the United States Customs Service.

Request for Unanimous Consent

Senator O'Gara asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 14, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 14

Senate Joint Resolution No. 14—Relative to memorializing the President and the Congress of the United States in relation to appropriations affecting the United States Customs Service.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLuz, Denel, Dilworth, Jespersen, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, and Ward—22.

NOES—Senators Desmond, Gordon, Hatfield, Hulse, Judah, Mayo, Rich, Watson, Weybret, and Williams—10.

Resolution ordered transmitted to the Assembly.

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules:

Senate Resolution No. 65

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate in favor of the Secretary of the Senate in the sum of four thousand eight hundred thirty-eight and fifty-three one-hundredths dollars (\$4,838.53) to pay the items set forth below, and the Treasurer is hereby directed to pay the same:

Sam S. Frieden, signs.....	\$52 80
Railway Express Agency	9 07
Western Union	29 88
Pacific Telephone and Telegraph Co.....	176 98.
Walsh and Day, dictaphone repairs.....	24 50
The Letter Shop.....	22 74
Capital Office Equipment Co.....	86
Martyr's, stationery	34 21
A. Navlet, flowers.....	10 75
H. S. Crocker Co.....	565 81
Department of Finance.....	592 32
Bureau of Purchases.....	818 61
Postage	2,500 00
	<hr/>
	\$4,838 53

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Denel, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—31.
NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 373—An act to amend Sections 690, 694, 695, 698, 699, 700, 802, 831, 842, 986.8, 986.9, 987, 987.1, 987.2, 987.3, 987.4, 987.5, 987.6, 987.7, 987.8, 987.9, 987.10, 988, 988.2 and 988.3 of the Military and Veterans Code, relating to the Veterans Welfare Board and Department of Veterans Affairs.

Bill read third time.

Motion to Amend

Senator Ward moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 23, of the printed bill, strike out "its", and insert "California Veterans Board".

Amendment No. 2

On page 3, line 27, of said bill, strike out "department", and insert "California Veterans Board".

Amendment No. 3

On page 3, line 35, of said bill, strike out "department", and insert "California Veterans Board".

Amendment No. 4

On page 3, line 45, of said bill, strike out "department", and insert "California Veterans Board".

Amendment No. 5

On page 6, line 38, of said bill, strike out "regulations", and insert "policies".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

ADJOURNMENT

At 4 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Tuesday, March 25, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

**THIRTIETH LEGISLATIVE DAY
SEVENTY-NINTH CALENDAR DAY**

IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, March 25, 1947

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—35.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:
Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Teuney, on motion of Senator Powers, due to legislative business.

Senator Burns, on motion of Senator Powers, due to legislative business.

Senator Williams, on motion of Senator Cunningham, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Superior Judge Joseph W. Vickers of Los Angeles, Superior Judge Timothy I. Fitzpatrick of San Francisco, Superior Judge Edward P. Murphy of San Francisco, and Mr. Joseph M. Cummins, Secretary, Superior Court, San Francisco.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. George Edmonds of Santa Barbara.

On request of Senators Desmond and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Jane Chapman of Berkeley.

On request of Senators Jespersen and Judah, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Hans Iversen of Watsonville.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, March 24, 1947

To the Senate of the State of California:

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

GILBERT H. JERBERG, a resident of Fresno, member of the State Board of Education since May 4, 1943; as member of the State Board of Education, vice self, term expired, for the term prescribed by law, ending January 15, 1951.

JOSEPH P. LOEB, a resident of Los Angeles, member of the State Board of Education since May 4, 1943; as member of the State Board of Education, vice self, term expired, for the term prescribed by law, ending January 15, 1951.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 170
Senate Bill No. 338
Senate Bill No. 339
Senate Bill No. 367
Senate Bill No. 471
Senate Bill No. 472
Senate Bill No. 532
Senate Bill No. 542
Senate Bill No. 564
Senate Bill No. 647

Senate Bill No. 768
Senate Bill No. 785
Senate Bill No. 822
Senate Bill No. 1075
Senate Bill No. 1308
Senate Bill No. 1309
Senate Bill No. 1350
Senate Bill No. 1411
Senate Bill No. 1416

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 363
Senate Bill No. 428
Senate Bill No. 466
Senate Bill No. 497
Senate Joint Resolution No. 14
Senate Constitutional Amendment No. 5

Senate Bill No. 530
Senate Bill No. 672
Senate Bill No. 950
Senate Bill No. 1134
Senate Bill No. 1334

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, March 24, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Bill No. 379
Senate Bill No. 63

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

DELAP, Chairman

Above reported bills ordered to second reading.

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 972

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 1

Senate Bill No. 197

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

COLLIER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 1297

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Governmental Efficiency.

Committee membership 9; committee vote: Ayes 7; absent 2.

COLLIER, Chairman

Above reported bill re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 1470

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

COLLIER, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE**SECOND READING OF SENATE BILLS**

Senate Bill No. 359—An act to repeal Article 2, Chapter 7, Part 4, Division 5, of the Water Code, relating to the revolving fund of the Reclamation Board, and providing for the abolition of, and the disposal of the money in, said fund.

Bill read second time, ordered engrossed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 389—An act to amend Section 4244 of the Political Code and Section 28115 of the Government Code, relating to compensation for public services in counties of the fifteenth class.

Bill read third time.

Motion to Amend

Senator DeLap moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "five hundred dollars (\$3,500)", and insert "four hundred dollars (\$3,400)".

Amendment No. 2

On page 1, line 9, of the printed bill, strike out "eight thousand five hundred dollars (\$8,500)", and insert "eight thousand four hundred dollars (\$8,400)".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Request for Unanimous Consent

Senator Quinn asked for, and was granted, unanimous consent to have Senate Bills Nos. 676, 674, 982, and 21 passed on file, and retain their place on file.

Senate Bill No. 602—An act to amend Sections 450, 453, 454, 455, 456, 457, 458, and 459 of the Military and Veterans Code, relating to the administration of company punishment of members of the National Guard, to the appointment of special courts-martial, the appointment of summary courts-martial, the appointment of courts of inquiry and boards of investigating officers, the jurisdiction of general, special and summary courts-martial and the admission to bail of military persons charged with military offenses before military courts.

Bill read third time.

Motion to Amend

Senator Dilworth moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 14, of the printed bill, strike out "officers", and insert "members".

Amendment No. 2

On page 2 of said bill, strike out lines 21 to 23, inclusive, and insert "The members of the court may be officers or qualified enlisted personnel, and the court may include both officers and qualified enlisted personnel."

Amendment No. 3

On page 2, line 30, of said bill, strike out "of officers".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 601—An act to repeal Sections 212 and 213 of the Military and Veterans Code, relating to the inactive National Guard and honorary members in the National Guard and to amend Sections 16, 127, 142, 173, 183, 210, 224, 228, 256, 365, 394, 398, 417, 439, 470, and 644 of the Military and Veterans Code, relating to the administration of military oaths, assignment of military command, the employment of the military forces in the performance of necessary military duties, the publications of military material, the issuance of military property, the inactive National Guard, the priority of rank of military officers, the retirement of military officers and enlisted men, the temporary direction of the military forces by civil officers, discrimination against military personnel, the creation of an offense for trespass upon military grounds, armories or military places, the transportation of military personnel and

material, county aid for the National Guard, the delivery of military personnel to civil authorities and the issuance of service medals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Gordon, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 596—An act to repeal Sections 330, 331, 332, and 435 of the Military and Veterans Code, relating to monthly allowances to commanding officers and organizations of the National Guard, the use of funds, the allowance of claims and the payment of rental for leased armory, to add a new Section 330 to the said code, relating to expenses of commanding officers and organizations of the National Guard and the payment thereof, to amend Sections 413 and 432 of the Military and Veterans Code, relating to funds and property held in trust for commanding officers and organizations of the National Guard and the payment thereof and the payment of revenues received from state armories, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, and Watson—29.

NOES—Senator Dillinger—1.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, and Watson—27.

NOES—Senator Dillinger—1.

Bill ordered transmitted to the Assembly.

RESOLUTIONS

The following resolution was offered:

By Senator Powers:

Senate Resolution No. 66

Inviting the President of Mexico to visit California

WHEREAS, His Excellency Licenciado Don Miguel Alemán, the President of the Republic of Mexico, has announced his intention of paying a visit to the United States in the very near future; and

WHEREAS, The people of the State of California and their neighbors in the great republic on the south have been living in harmonious and friendly relationship for many years, and during that time have developed widespread interests in common, culturally, socially, and commercially; and

WHEREAS, An exchange of calls between the heads of the two nations and between the Governors of the various states thereof, tends to encourage more frequent visits by the peoples of the respective countries, thereby cementing more closely the bonds of friendship already existing between them; now, therefore, be it

Resolved by the Senate of the State of California, That this Senate heartily joins with His Excellency Earl Warren, the Governor of the State of California, in extending to the President of the Republic of Mexico a cordial invitation to include a visit to California in his itinerary; and be it further

Resolved, That the Secretary of the Senate be and he is hereby authorized and directed to transmit a suitably prepared copy of this resolution to His Excellency Licenciado Don Miguel Alemán, the President of the Republic of Mexico.

Resolution read, and, on motion of Senator Powers, adopted.

Chief Assistant Secretary Cleve V. Taylor at the Desk

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 598—An act to amend Sections 161, 162, 164, 164.1, and 168 of the Military and Veterans Code, relating to the personnel of the office of the Adjutant General, the establishment of the rank of Major General for the Adjutant General and the qualifications therefor, the establishment of the rank of Brigadier General for the Assistant Adjutant General and the qualifications therefor, the organization of the office of the Adjutant General, and the pay and allowances for the Adjutant General and the Assistant Adjutant General, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Quinn moved a call of the Senate.

Motion carried. Time, 2.29 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor, dated March 18, 1947, appointing

WALTER A. GORDON, as member of the Adult Authority, Department of Corrections, vice self, for the term prescribed by law, ending March 15, 1951;

LEWIS DRUCKER, as member of the Adult Authority, Department of Corrections, vice self, for the term prescribed by law, ending March 15, 1951; has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Powers moved that the Senate confirm and consent to the appointment of Walter A. Gordon and Lewis Drucker as members of the Adult Authority, Department of Corrections.

The President put the question, "Will the Senate confirm and consent to the appointment of Walter A. Gordon and Lewis Drucker?"

The roll was called, with the following result:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jospersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Watson, and Weybret—30.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Walter A. Gordon and Lewis Drucker as members of the Adult Authority, Department of Corrections.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor, dated March 18, 1947, appointing

O. H. CLOSE, as member of the Youth Authority, vice self, for the term prescribed by law, ending March 15, 1951;

KARL W. HOLTON, as member of the Youth Authority, vice self, for the term prescribed by law, ending March 15, 1951;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR**Motion to Confirm Appointments by the Governor**

Senator Powers moved that the Senate confirm and consent to the appointment of O. H. Close and Karl W. Holton as members of the Youth Authority.

The President put the question, "Will the Senate confirm and consent to the appointment of O. H. Close and Karl W. Holton?"

The roll was called, with the following result:

AYES—Senators Brown, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—27.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of O. H. Close and Karl W. Holton as members of the Youth Authority.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 231—An act to repeal Section 206.7 of the Welfare and Institutions Code, relating to reports concerning veterans in county institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Weybret—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 527—An act to amend the Palo Verde Irrigation District Act, as amended, by amending Section 10, relating to powers and duties of the board of trustees, Section 26, relating to estimates for levy of taxes and Section 28, relating to levy of taxes and by adding Section 28.1, relating to particular purpose taxes and Section 27.1,

relating to assessor's maps and by reenacting Sections 69 and 72, relating to the inclusion of lands in said district, all relating to the Palo Verde Irrigation District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 219—An act to amend Section 9028.5 of the Business and Professions Code, relating to proceedings for the suspension or revocation of certificates of registered social workers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 223—An act to amend Sections 5100, 5101, and 5104 of the Business and Professions Code, to repeal Sections 5102 and 5103 thereof, to add a new Section 5102 thereto, and to repeal Section 3 of an act entitled "An act to repeal Chapter 1, comprising Sections 5000 to 5044, inclusive, of Division 3 of, and to add a new Chapter 1, comprising Sections 5000 to 5132, inclusive, to Division 3 of, the Business and Professions Code, relating to the creation of a State Board of Accountancy, and prescribing its duties and powers; regulating the practice of public accountancy and requiring persons engaged in the practice thereof to obtain annual permits to practice; providing for the examination of and issuance of the certificate of certified public accountant to qualified applicants and for the continuance of certified public accountant certificates issued under prior acts; and providing penalties for violations of the provisions of this act," approved July 13, 1945, all relating to accountancy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 250—An act to repeal Chapter 10 of Division 2 of the Business and Professions Code, relating to trained hospital attendants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen,

Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—34.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 252—An act to amend Section 2798 of the Business and Professions Code, relating to nursing and nursing schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—31.

NOES—Senators Dilworth and Keating—2.

Bill ordered transmitted to the Assembly.

Senate Bill No. 221—An act to amend Sections 9594 and 9595 of the Business and Professions Code, relating to the regulation and licensing of cleaning, dyeing and pressing establishments and persons engaged therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Sutton, Swing, Ward, Watson, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Resolution No. 61—Relative to establishment of state employees salaries.

WHEREAS, Section 18850 of the Civil Service Act requires that the State Personnel Board establish salaries for state employees as follows:

“The board shall establish and adjust salary ranges for each class of position in the state civil service. The salary ranges shall be based on the principle that like salaries shall be paid for comparable duties and responsibilities. In establishing or changing such ranges consideration shall be given to the prevailing rates for comparable service in other public employment and in private business, improvement of living standards, the current costs of living, and the State's financial condition.”; and

WHEREAS, The State Personnel Board adjusted the salaries of state employees, in accordance with said provisions of Section 18850 as of June 1, 1946, and said adjustments were based on prevailing rates and cost of living data as of that date, even though later granted as a result of appeals; and

WHEREAS, It appears from official figures that the cost of living has increased approximately 15 percent since June 1, 1946; and

WHEREAS, It also appears that other public jurisdictions, such as the City of Los Angeles, the County of Los Angeles and the City and County of San Francisco, as well as a number of private industries, have materially increased the salaries of a large number of employees for classes comparable to those in state service since June 1, 1946, and it is probable that there will be further increases in the salaries for similar employees in the near future, which increases are causing state employees to be paid at salaries substantially below the prevailing rates; and

WHEREAS, Said condition is having and will continue to have an unfavorable effect upon the morale of state employees and is also seriously affecting the efficient functioning of state service because of the inability to obtain and retain competent employees in competition with the higher salaries being paid in other public jurisdictions and private industry; and

WHEREAS, It appears that in order to make appropriate adjustments in salaries of state employees made necessary by increases in prevailing rates and increase in the cost of living since June 1, 1946, it will be necessary for the Legislature to provide additional funds to finance said salary adjustments; and

WHEREAS, There now are bills before the Legislature to provide further funds for adjusting the salaries of state employees; and

WHEREAS, It is necessary in order for the Legislature to take proper action on such bills that it have as complete information as possible on the present status of salaries of state employees and salaries in general; now, therefore, be it

Resolved by the Senate of the State of California, That the State Personnel Board be and is hereby requested to furnish to the Senate of the State of California, not later than by April 15, 1947, a written report on the present status of the salaries of state employees in relation to prevailing rates and increases in the cost of living, together with an analysis of alternative methods and costs of making further salary adjustments for state employees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Watson, and Weybret—32.

NOES—None.

President Pro Tempore of the Senate Presiding

At 3 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 363—An act to amend Section 2 and to repeal Section 3.5 of the Property Acquisition Act, relating to the membership, powers, and duties of the Property Acquisition Board, declaring the urgency thereof, and providing this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—33.

NOES—None.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.05 p.m., on motion of Senator Quinn, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 598 refused adoption by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Hatfield, Hulse, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Swing, Ward, Watson, and Weybret—25.

NOES—Senators Deuel, Dillinger, Donnelly, Gordon, Jespersen, Judah, Mayo, Salsman, and Sutton—9.

Motion to Reconsider

Senator Quinn moved to reconsider the vote whereby the urgency clause to Senate Bill No. 598 was refused adoption.

Postponement of Reconsideration

On motion of Senator Quinn, the further consideration of the motion to reconsider the vote whereby the urgency clause to Senate Bill No. 598 was refused adoption, was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 472—An act to amend Sections 5 and 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and acquisition of rights-of-way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations, approved June 20, 1944," abolishing the Postwar Public Works Review Board and transferring its duties, powers, purposes, responsibilities and jurisdiction to the State Allocation Board.

Bill read third time.

Motion to Amend

Senator Mayo moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 5 and 27", and insert "Section 5".

Amendment No. 2

On page 2 of said bill, strike out lines 19 to 29, inclusive.

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 564—An act to amend Section 3 of the Property Acquisition Act, relating to the acquisition of property by the State in connection with the postwar construction program.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Ward, Watson, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 647—An act to amend Sections 20921 and 20922 of the Government Code, relating to crediting members with state service for time employed in federal service, under certain conditions, in connection with the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Rich, Salsman, Slater, Sutton, and Ward—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1075—An act to add Section 6.15 to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, and Watson—26.

NOES—Senators Dilworth and Donnelly—2.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1308—An act to amend Section 20130 of the Government Code, relating to the State Employees' Retirement System in respect to the rate of interest adopted by the Board of Administration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, Powers, Quinn, Rich, Salsman, Slater, Swing, and Watson—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senator Mayo Presiding

At 3.22 p.m., Senator Jesse M. Mayo of the Twenty-sixth District, presiding.

Senate Bill No. 1411—An act to repeal Part 8, comprising Sections 15530 to 15565, inclusive, of Division 3 of Title 2 of the Government Code, relating to the State Reconstruction and Reemployment Commission, and providing for the transfer of money to the General Fund, and for the transfer of property to the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, and Watson—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1416—An act to repeal Chapter 1 of the Fifty-fifth (Second Extraordinary) Session, Chapter 49, of the Fifty-fifth (Fourth Extraordinary) Session, Chapters 32 and 1053 of the Fifty-sixth Session, and Chapter 139 of the Fifty-sixth (First Extraordinary) Session of the Legislature, relating to food and fiber production; and providing for the transfer of money to the General Fund and for the transfer of property to the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, Powers, Rich, Salsman, Slater, Swing, and Watson—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 950—An act to amend Sections 12135, 12136, 12302, 12304, 12405, 12502 and 13051 of the Education Code, to add Sections 12142, 12405.1 and 12406 to said code, and to repeal Section 13052 of said code, all relating to certification documents authorizing service in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Swing, Watson, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 338—An act to amend Sections 21171 and 21173 of the Education Code, relating to cruises of vessels of the California Maritime Academy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Salsman, Slater, Swing, and Watson—21.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 339—An act to add Section 7006.1 to the Education Code, relating to emergency state aid to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Rich, Slater, Swing, Ward, Watson, and Weybret—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Slater, Swing, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 367—An act to amend Sections 186, 5962, 5963, 5964, 10116, 10117, 10118, 18101, and 18103 of the Education Code, all relating to the Department of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Slater, Swing, Watson, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 532—An act to add Section 12143 to the Education Code, relating to credentials issued by the State Board of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Rich, Slater, Swing, Ward, and Watson—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 768—An act to amend Section 20651 of the Education Code, relating to the California Polytechnic School.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Rich, Slater, Swing, Ward, and Watson—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 822—An act to amend Sections 12031, 12042, 12043, and 12044 of the Education Code, relating to procedures for the issuance of certification documents by or for the State Board of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Rich, Slater, Swing, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 466—An act to amend Section 274 of the Code of Civil Procedure, relating to phonographic reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Mayo, McCormack, O'Gara, Parkman, Quinn, Rich, Slater, Swing, Ward, Watson, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 616—An act to amend Section 12040 of the Government Code, relating to the membership of the Governor's Council.

Bill read third time, and presented by Senator Swing.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo,

McBride, O'Gara, Parkman, Quinn, Rich, Slater, Swing, Ward, Watson, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 811—An act relating to the employment of prisoners confined in the California State Prison at San Quentin, and declaring the urgency thereof.

Bill read third time, and presented by Senator Deuel.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 982—An act to amend Sections 970, 972, 973, and 974 of the Fish and Game Code, relating to districts.

Bill read third time.

Motion to Amend

Senator Quinn moved the adoption of the following amendments:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, following line 21, insert

"SEC. 5. Section 651 of said code is amended to read:

651. In Districts 6, [7,] 8, [9,] 10, 11, 15, 16, 17, and 18, salmon may be taken by hook and line between April 1st and September 15th. There is no bag limit. No such salmon may be less than 25 inches in length, measured from the tip of the snout to the extreme tip of the tail.

SEC. 6. Section 652 of said code is amended to read:

652. In Districts 6, [7,] 8, [9,] 10, 11, 15, 16, 17, and 18, salmon may be taken between September 16th and December 31st. The bag limit is two per day, irrespective of size. Not more than one daily bag limit may be possessed by any person during any one day. No such salmon may be sold.

SEC. 7. Section 666 of said code is amended to read:

666. Salmon may not be sold or possessed in, or transported through, Districts 6, [7,] 10, 11, 15, 16, 17, 18, during the time when the taking of salmon is unlawful in said districts.

SEC. 8. Section 666.5 of said code is amended to read:

666.5. Salmon may not be sold or possessed in, or transported through, District [s] 8 [and 9] between January 1st and March 31st.

SEC. 9. Section 1203 of said code is amended to read:

1203. In District[s] 8 [and 9], it is unlawful to take ducks or geese from a scull boat except on Wednesdays and Sundays during the prescribed open season."

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 985—An act amending Section 431 of the Military and Veterans Code, relating to the control of armories by the Adjutant General, including the power to lease or otherwise authorize the use of the same, the creation of armory boards and their powers, the collection, payment and accounting of revenues and income from armories, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 163—An act to amend Section 890 and 891 of the Military and Veterans Code, relating to veterans' dependents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO DISCONTINUE ACTION ON DAILY FILE

At 4.12 p.m., Senator Hatfield moved that the Senate discontinue further consideration of the Daily File.

Motion carried.

Secretary J. A. Beek at the Desk

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Brown:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 5.5 to, and to amend Section 6 of, an act entitled "An act relating to real property of a city, county, or city and county situate without the territorial boundaries of the owner, prescribing regulations concerning the handling and disposition of such property, whether by sale, lease, license or otherwise, and providing for the administration and enforcement of the provisions of this act," approved July 12, 1945, relating to the handling and disposition of such real property, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

SENATOR BROWN

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 25, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—30.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced, and read the first time:

Senate Bill No. 1549: By Senator Brown—An act to add Section 5.5 to, and to amend Section 6 of, an act entitled "An act relating to real property of a city, county, or city and county situate without the territorial boundaries of the owner, prescribing regulations concerning the handling and disposition of such property, whether by sale, lease, license or otherwise, and providing for the administration and enforcement of the provisions of this act," approved July 12, 1945, relating to the handling and disposition of such real property, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 29

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 50

Assembly Joint Resolution No. 29

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Concurrent Resolution No. 50—Relative to construction of additions to State Capitol.

Referred to Committee on Rules.

Assembly Joint Resolution No. 29—Relative to memorializing Congress to relieve the State of California's taxation problem created by the presence in the State of vast amounts of federally-owned, tax-exempt real property.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 144
Assembly Bill No. 146
Assembly Bill No. 722
Assembly Bill No. 723
Assembly Bill No. 896
Assembly Bill No. 897

Assembly Bill No. 898
Assembly Bill No. 900
Assembly Bill No. 1091
Assembly Bill No. 1396
Assembly Bill No. 1397
Assembly Bill No. 2467

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 144—An act to amend Section 503 of the Vehicle Code, relating to theft and unlawful driving or taking of a vehicle.

Referred to Committee on Transportation.

Assembly Bill No. 146—An act to amend Sections 480 and 501 of the Vehicle Code, relating to offenses involving injury to persons.

Referred to Committee on Transportation.

Assembly Bill No. 722—An act to amend Section 3083 of the Welfare and Institutions Code, relating to aid to the needy blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 723—An act to amend Section 3471 of the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 896—An act to amend Sections 321, 323, and 324 of the Military and Veterans Code, relating to the pay and allowances of enlisted men in the California National Guard, the furnishing of a uniform allowance to commissioned and warrant officers of the Active Militia and the pay and allowances of officers and enlisted men of the National Guard who perform special duty, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 897—An act to amend Sections 161, 162, 164, 164.1, and 168 of the Military and Veterans Code, relating to the personnel of the office of the Adjutant General, the establishment of the rank of Major General for the Adjutant General and the qualifications therefor, the establishment of the rank of Brigadier General for the Assistant Adjutant General and the qualifications therefor, the organization of the office of the Adjutant General, and the pay and allowances for the Adjutant General and the Assistant Adjutant General, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 898—An act to repeal Sections 330, 331, 332, and 435 of the Military and Veterans Code, relating to monthly allowances to commanding officers and organizations of the National Guard, the use of funds, the allowance of claims and the payment of rental for

leased armory; to add a new Section 330 to the said code, relating to expenses of commanding officers and organizations of the National Guard and the payment thereof; to amend Sections 413 and 432 of the Military and Veterans Code, relating to funds and property held in trust for commanding officers and organizations of the National Guard and the payment thereof and the payment of revenues received from state armories, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 900—An act to repeal the California State Guard Act of 1943, added by Statutes of 1943, Chapter 295; to repeal Sections 560 to 589, inclusive, of the Military and Veterans Code, relating to the organization, administration, control, employment and discipline of the California State Guard, providing for privileges, benefits, compensation and insurance for state guardsmen, and to reserve and continue all claims, demands, rights, benefits, privileges or causes of action that have accrued under the provisions of Sections 572, 575, 576, 577, 578, 588, and 589 and to reserve all disciplinary power as to offenses heretofore committed including all authority granted by Sections 571 and 585 and to provide for the liquidation of the property, accounts, funds, assets and affairs of the California State Guard.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 1091—An act to add Section 4156d to the Political Code and Section 26542 to the Government Code, relating to district attorneys.

Referred to Committee on Judiciary.

Assembly Bill No. 1396—An act amending Section 431 of the Military and Veterans Code, relating to the control of armories by the Adjutant General, including the power to lease or otherwise authorize the use of the same, the creation of armory boards and their powers, the collection, payment and accounting of revenues and income from armories, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 1397—An act to amend Section 395.1 of the Military and Veterans Code, relating to the right of persons in the military service to return to their office or position upon termination of active service with the armed forces.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 2467—An act to provide for works for development and protection of the beach at Ocean Beach and providing for the continued availability therefor of funds presently available under agreement pursuant to Chapter 942, Statutes of 1941.

Referred to Committee on Natural Resources.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 157
Assembly Bill No. 365
Assembly Bill No. 761
Assembly Bill No. 993
Assembly Bill No. 994

Assembly Bill No. 995
Assembly Bill No. 1219
Assembly Bill No. 1598
Assembly Bill No. 2246

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 157—An act to amend Sections 164, 181, 222 of, to repeal Section 146.5 of, and to add Section 182.1 to, the Vehicle Code, relating to the registration and transfers of registration of vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Transportation.

Assembly Bill No. 365—An act to amend Section 1582 of the Labor Code, relating to private employment agencies.

Referred to Committee on Labor.

Assembly Bill No. 761—An act to repeal the War Production Act, relating to employment and working conditions of female employees and to all permits issued thereunder.

Referred to Committee on Labor.

Assembly Bill No. 993—An act to amend Sections 18533, 18537, 19054, and 19057 of the Government Code, relating to eligible lists and certification of employees in the state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 994—An act to amend Section 19055 of the Government Code, relating to certification from eligible lists in the state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 995—An act to amend Section 18859 of the Government Code, relating to adjustments in salary ranges for state employees.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1219—An act to amend Section 19254 of the Government Code, relating to eligible lists for limited term and intermittent employment appointments in the state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1598—An act to amend Section 156.5 of the Vehicle Code, relating to the registration of vehicles.

Referred to Committee on Transportation.

Assembly Bill No. 2246—An act to amend Section 152 of the Vehicle Code, relating to the registration of motor vehicles.

Referred to Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 373

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Senate Joint Resolution No. 12

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

Above reported resolution ordered to third reading.

Committee on Transportation

SENATE CHAMBER, SACRAMENTO, March 24, 1947

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Senate Bill No. 123

Senate Bill No. 977

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

McCORMACK, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 24, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 126

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

McCORMACK, Chairman

Above reported bill ordered to second reading.

Motion to Distribute Senate Resolution No. 61

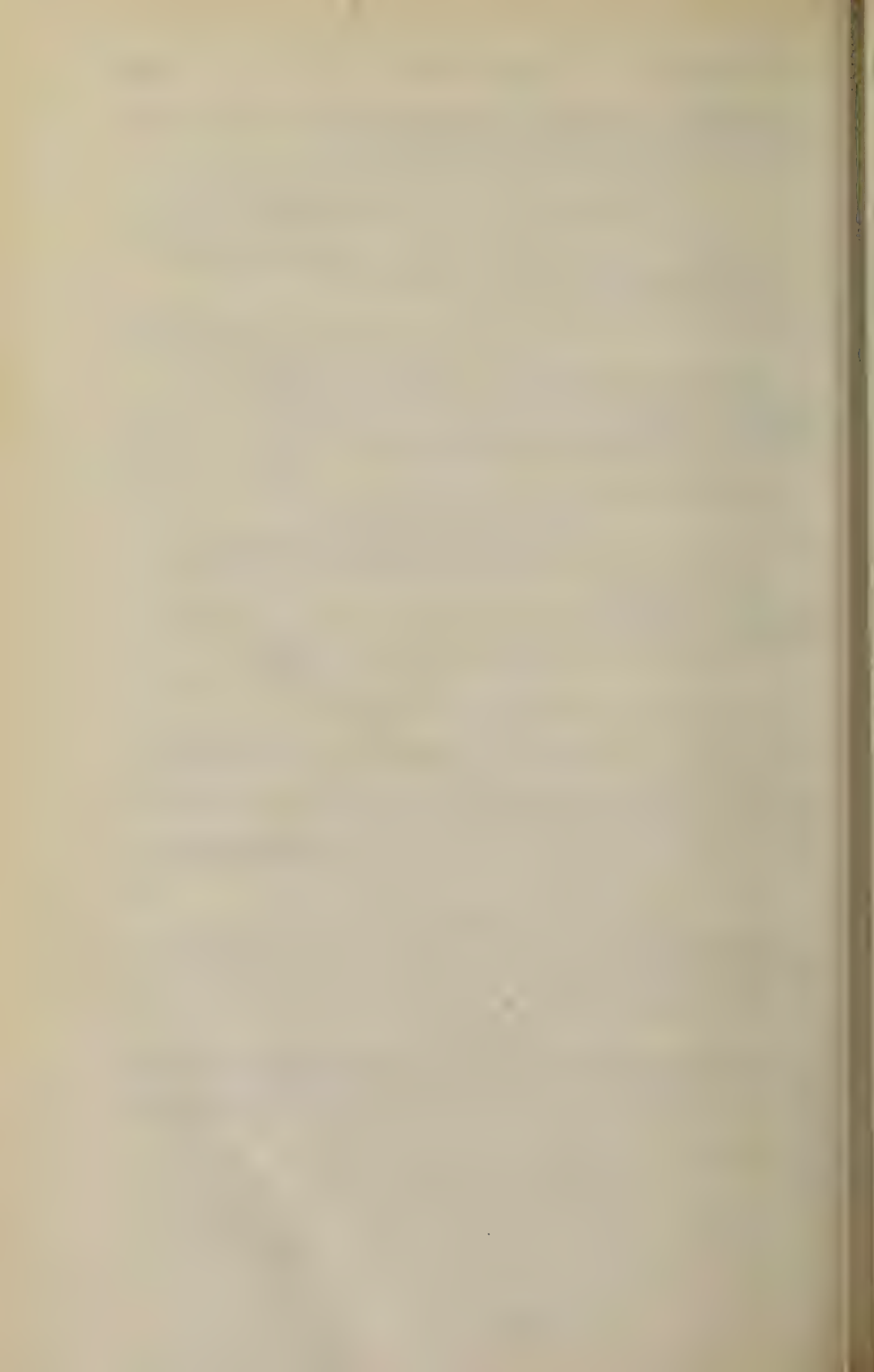
Senator Hatfield moved that the Secretary of the Senate be instructed to send a copy of Senate Resolution No. 61 to the Secretary of the State Personnel Board, and to each individual member.

Motion carried.

ADJOURNMENT

At 4.23 p.m., on motion of Senator Hatfield, the President declared the Senate adjourned until 1.30 p.m., Wednesday, March 26, 1947.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

THIRTY-FIRST LEGISLATIVE DAY

EIGHTIETH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, March 26, 1947

The Senate met at 1.30 p.m.

Hon. George J. Hatfield, Vice Chairman of the Committee on Rules, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—31.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Hatfield, due to illness.

Senator Burns, on motion of Senator Hatfield, due to legislative business.

Senator Tenney, on motion of Senator Hatfield, due to legislative business.

Senator Brown, on motion of Senator Hatfield, due to legislative business.

Senator Powers, on motion of Senator Hatfield, due to legislative business.

Senator Salsman, on motion of Senator Hatfield, due to legislative business.

Senator Williams, on motion of Senator Hatfield, due to legislative business.

Senator Desmond, on motion of Senator Hatfield, due to legislative business.

President of the Senate Presiding

At 1.35 p.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Chapman and Mr. Boyington, instructors, and the following students of the Winters Joint Union High School: Richard Washabaugh, Frank Valadez, Tom Stowers, Gene Stith, Don Rominger, Ray Munez, Josie Nunez, Martha Paul, Rose Ann Paul, Virginia Richardson, Lawrence Ramos, Joe Lawrence, Sally Lee, Beverly Merchant, Claudia Moore, Lloyd Islip, Betty Hansel, Jacky Hague, Mary Lou Gale, Virginia Freeman, Ted Eaton, Bill Brink, Kenneth Campbell, Louis Campos, Irene Campos, Dolores Baker, Doris Dunsmore, and Rafe Carrion.

On request of Senator Jespersen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Lawrence Jespersen and Miss Lorraine Jespersen of San Luis Obispo.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Albert Beecher of Clearlake Highlands, Lake County.

On request of Senators Dilworth and Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Reverend Ted Goodwin of San Jacinto, and Reverend Ralph Isaacson of Stockton.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Leatha Stockman, instructor, and the following members of the Americanization Classes of the Evening High School, Vallejo: Mesdames Blas, Pacheco, Reyes, Organza, Leinsted, de La Cerna, Hullano, Rodrigo, Salugsugan, Orpilla, Messrs. Holgado, Cos, Obrein, Milo, Rossi, Organza, Hullano, Aikuno, and Castro Nueva, Rose Mary Blas, and Messrs. Medrosa, Palocha, Salvante, Pacl, DeLeon, Obispaida, Miranda, Aruacan, Aronci, Rubia, Martinez, Paranol, Villapuerto, Alemorong, Orpilla, Ventura, Lambis, Magna, Raya, Salugsugan, Gala Ora, Almonte, Olea, Villegas, Enecio, Bacol, and LaCosta.

On request of Senator Kraft and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Walter J. Sullivan, Los Angeles Office of the Federal Bureau of Investigation.

On request of Senator O'Gara and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Herbert Richards, Mrs. Harold Hacke, Mrs. Templeton Peck, Mrs. Joseph Felix, Mrs. Hot Johnson, Mrs. John Eagan, and Mrs. Kirk Whitehead, members of the League of Women Voters, San Francisco.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 30

Assembly Joint Resolution No. 31

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Joint Resolution No. 30—Relative to remains of Americans fighting with allied forces killed in action in World War II.

Referred to Committee on Rules.

Assembly Joint Resolution No. 31—Relative to memorializing the President and Congress to enact S-172, providing for the creation of a commission to consider claims that released prisoners of war may have against the Japanese Government.

Referred to Committee on Military and Veterans Affairs.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 93

Assembly Bill No. 117

Assembly Bill No. 489

Assembly Bill No. 721

Assembly Bill No. 1527

Assembly Bill No. 1599

Assembly Bill No. 2283

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 93—An act to amend Sections 2024 and 2186 of the Welfare and Institutions Code, relating to aid to the aged, and providing for payments and repayments thereof, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 117—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Referred to Committee on Judiciary.

Assembly Bill No. 489—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration.

Referred to Committee on Transportation.

Assembly Bill No. 721—An act to amend Section 3051 of, and to add Section 3052 to, the Welfare and Institutions Code, relating to the prevention and cure of blindness, and to the powers and duties of the Department of Social Welfare in connection therewith.

Referred to Committee on Social Welfare.

Assembly Bill No. 1527—An act to add Section 2186.1 to the Welfare and Institutions Code, relating to old age security funds.

Referred to Committee on Social Welfare.

Assembly Bill No. 1599—An act to add Section 132.1 to the Vehicle Code, relating to the registration of vehicles.

Referred to Committee on Transportation.

Assembly Bill No. 2283—An act to add Section 1268.5 to the Code of Civil Procedure, relating to the procedure of escheating and vesting property in the State.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 359

Senate Joint Resolution No. 12

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 472

Senate Bill No. 339

Senate Bill No. 602

Senate Bill No. 982

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 28—Approving certain amendments to the charter of the City of San Leandro, a municipal corporation of the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the eighteenth day of February, 1947:

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of March, 1947, at 12 m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 29—Relative to amendment of the Joint Rules concerning the manner of designating legislative sessions;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-sixth day of March, 1947, at 12 m.

POWERS, Chairman

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 679

Senate Bill No. 945

Senate Bill No. 1036

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

GORDON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 447

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

GORDON, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 1402

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Assembly Bill No. 432

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

Above reported bill ordered to second reading.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Keating moved that Senate Bill No. 28 be taken from the inactive file, and placed on the second reading file.

Motion carried.

**CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS**

Senate Bill No. 389—An act to amend Section 4244 of the Political Code and Section 28115 of the Government Code, relating to compensation for public services in counties of the fifteenth class.

Bill read third time.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator DeJap moved a call of the Senate.

Motion carried. Time, 2.46 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE**CONSIDERATION OF DAILY FILE (RESUMED)
MOTION TO RECONSIDER**

Senate Bill No. 598—An act to amend Sections 161, 162, 164, 164.1, and 168 of the Military and Veterans Code, relating to the personnel of the office of the Adjutant General, the establishment of the rank of Major General for the Adjutant General and the qualifications therefor, the establishment of the rank of Brigadier General for the Assistant Adjutant General and the qualifications therefor, the organization of the office of the Adjutant General, and the pay and allowances for the Adjutant General and the Assistant Adjutant General.

Motion to Reconsider Senate Bill No. 598

Pursuant to his motion previously made, Senator Quinn moved that the Senate, at this time, reconsider the vote whereby the urgency clause to Senate Bill No. 598 was refused adoption.

Request for Unanimous Consent

Senator Quinn asked for, and was granted, unanimous consent to have his motion to reconsider the vote whereby the urgency clause to Senate Bill No. 598 was refused adoption, continued to the next legislative day.

SECOND READING OF SENATE BILLS

Senate Bill No. 379—An act to add Section 5006.5 to the Public Resources Code, relating to leasing land for state park purposes.

Bill read second time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, after the period, insert: "No payment from state money in excess of one thousand dollars (\$1,000) a year shall be made pursuant to any such lease unless and until money equal to or exceeding one-half of the excess over one thousand dollars (\$1,000) shall have been made available for expenditure by the State for the purpose by some person, corporation, public district, municipality or political subdivision other than the State, or by the United States or an agency thereof."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 63—An act to amend Section 506.6 of the Public Resources Code, relating to the powers and duties of the State Park Commission respecting shore line protection, improvement and development of state or publicly owned beaches, and to appointment of a Beach Erosion Control Engineer.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 972—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 4 and 5 thereof, relating to the study and practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

In line 7 of the title of the printed bill, strike out "4 and", and insert "3, 4".

Amendment No. 2

In line 8 of the title of the printed bill, after "5", insert "10 and 12".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 3 of the act cited in the title is amended to read:

Sec. 3. The board shall convene within 30 days after the appointment of its members, and shall organize by the election of a president[,] and a vice president [and secretary, all] to be chosen from the members of the board[.], and a secretary, who may, but need not be a member of the board. The board shall fix the salary of the secretary, with the approval of the Director of Finance. Thereafter elections of officers shall occur annually at the January meeting of the board. A majority of the board shall constitute a quorum.

It shall require the affirmative vote of three members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act. The secretary shall receive a salary to be fixed by the board, [in an amount not exceeding one thousand dollars per annum, but not per diem,] together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the State in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first day of December of each year he shall file with the Governor a report of all receipts and disbursements and of the proceedings of the board for the preceding fiscal year.

SEC. 2. Section 4 of the act cited in the title hereof is amended to read:"

Amendment No. 4

On page 2 of the printed bill, strike out lines 1 to 5, inclusive, and insert

"(g) To approve chiropractic schools and colleges whose graduates may apply for licenses in this State. Any school meeting the requirements of Section 5 of this act and the rules and regulations adopted by the board shall be eligible for such approval.

(h) The board may employ such investigators, clerical assistants, and other employees as it may deem necessary to carry into effect the provisions of this act, and shall prescribe the duties of such employees."

Amendment No. 5

On page 2, line 6, of the printed bill, strike out "2.", and insert "3."

Amendment No. 6

On page 2, lines 17 and 18, of the printed bill, strike out "incorporated", and insert "approved."

Amendment No. 7

On page 2 of the printed bill, strike out lines 19 to 23, inclusive, and insert "not less than 4,000 hours, extended over a period of four school terms of at least nine months each, and shall present to the board at the time of making such".

Amendment No. 8

On page 2, line 29, of the printed bill, strike out "to wit,".

Amendment No. 9

On page 2 of the printed bill, strike out lines 30 to 52, inclusive, and insert

"Group 1		
Anatomy, including Embryology and Histology-----	18 to	20%
Group 2		
Physiology -----	6 to	8%
Group 3		
Biochemistry, Inorganic and Organic Chemistry-----	6 to	8%
Group 4		
Pathology and Bacteriology-----	10 to	12%
Group 5		
Public Health, Hygiene and Sanitation-----	3 to	4%
Group 6		
Diagnosis, Pediatrics, Dermatology, Byphilology and Psychiatry-----	12 to	18%
Group 7		
Obstetrics and Gynecology-----	3 to	4%
Group 8		
Principles and practice of Chiropractic, Physiotherapy and office procedure -----	25 to	28%
Total -----	83 to	100%
Electives -----	17 to	0%

Amendment No. 10

On page 3 of the printed bill, strike out lines 1 to 6, inclusive, and insert

"SEC. 4. Section 12 of the act cited in the title hereof is amended to read:

Sec. 12. Each person practicing chiropractic within this State shall, on or before the first day of January of each year, after a license is issued to him as herein provided, pay to said Board of Chiropractic Examiners a renewal fee of *not less than two dollars [.] (\$2) nor more than ten dollars (\$10) as may be set by the board.* The secretary shall, on or before November 1st of each year, mail to all licensed chiropractors in this State a notice that the renewal fee will be due on or before the first day of January next following. Nothing in this act shall be construed to require the receipts to be recorded in like manner as original licenses. The failure, neglect or refusal of any person holding a license or certificate to practice under this act in the State of California to pay said annual fee [of two dollars] during the time his or her license remains in force shall, after a period of 60 days from the first day of January of each year, ipso facto, work a forfeiture of his or her license or certificate, and it shall not be restored except upon the written application therefor and the payment to the said board of a fee of ten dollars (\$10), except that such licentiate who fails, refuses or neglects to pay such annual tax within a period of 60 days after the first day of January of each year shall not be required to submit to an examination for the reissuance of such certificate.

SEC. 5. Sections 1, 2, 3, and 4 of this act shall become effective".

Amendment No. 11

On page 2 of the printed bill, strike out line 9, and insert

"SEC. 6. Sections 1, 2, 3, and 4 of this act shall be submitted to".

Amendment No. 12

On page 3, line 19 of the printed bill, strike out "and 2", and insert ", 2, 3, and 4".

Amendment No. 13

On page 3 of the printed bill, following line 5, insert

"SEC. 3. Section 10 of the act cited hereof is amended to read:

Sec. 10. (a) The board shall refuse to grant, or may *suspend or revoke*, a license to practice chiropractic in this State [, or may cause a licensee's name to be removed from all records of licensed practitioners of chiropractic in this State,] upon any of the following grounds, to wit: The employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name; or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement, or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose services he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising. [Any person who is a licentiate, or who is an applicant for a license to practice chiropractic, against whom any of the foregoing grounds for revoking or refusing a license is presented to the board with a view of having the board revoke or refuse to grant a license, shall be furnished with a copy of the complaint, and shall have a hearing before the board in person or by an attorney, and witnesses may be examined by the board respecting the guilt or innocence of the accused.] *The proceedings for the refusal to grant, suspension or revocation of a license upon any of the foregoing grounds shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code as it now reads or as it may be hereafter amended by the Legislature, and the board shall have all the powers granted therein.* The secretary on all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person the following: "This certificate was revoked on the ----- day of -----" giving the day, month and year of such revocation in accordance with said certification to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(b) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the

rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the sum of twenty-five dollars (\$25) upon the issuance of a new license."

Amendment No. 14

On page 3, line 6, of the printed bill, strike out "3", and insert "4".

Amendment No. 15

On page 3, line 9, of the printed bill, strike out "4", and insert "5".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1—An act to add Section 14053.5 to the Health and Safety Code, relating to members of the board of fire commissioners of fire protection districts in unincorporated areas.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 197—An act to amend Section 4704 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1470—An act to add Chapter 5, comprising Sections 28200 to 28325, inclusive, to Division 21 of the Health and Safety Code, relating to restaurants as herein defined.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

On page 1 of the printed bill, strike out line 1 of the title, and insert "An act to add Chapter 11, comprising Sections 29000 to 29065,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert
"SECTION 1. Chapter 11, comprising Sections 29000 to".

Amendment No. 3

On page 1, line 2, of said bill, strike out "28325", and insert "29065".

Amendment No. 4

On page 1, line 5, of said bill, strike out "5", and insert "11".

Amendment No. 5

On page 1, line 9, of said bill, strike out "28200", and insert "29000".

Amendment No. 6

On page 1, line 11, of said bill, strike out "28201", and insert "29001".

Amendment No. 7

On page 1, line 14, of said bill, strike out "28202", and insert "29002".

Amendment No. 8

On page 1, line 20, of said bill, strike out "28203", and insert "29003".

Amendment No. 9

On page 1, line 25, of said bill, strike out "28204", and insert "29004".

Amendment No. 10

On page 2, line 1, of said bill, strike out "28205", and insert "29005".

Amendment No. 11

On page 2, line 8, of said bill, strike out "28221", and insert "29020".

Amendment No. 12

On page 2, line 13, of said bill, strike out "28222", and insert "29021".

Amendment No. 13

On page 2, line 18, of said bill, strike out "28223", and insert "29022".

Amendment No. 14

On page 2, line 23, of said bill, strike out "28224", and insert "29023".

Amendment No. 15

On page 2, line 27, of said bill, strike out "28225", and insert "29024".

Amendment No. 16

On page 2, line 30, of said bill, strike out "28226", and insert "29025".

Amendment No. 17

On page 2, line 35, of said bill, strike out "28227", and insert "29026".

Amendment No. 18

On page 2, line 50, of said bill, strike out "28228", and insert "29027".

Amendment No. 19

On page 3, line 6, of said bill, strike out "28229", and insert "29028".

Amendment No. 20

On page 3, line 14, of said bill, strike out "28230", and insert "29029".

Amendment No. 21

On page 3, line 30, of said bill, strike out "28231", and insert "29030".

Amendment No. 22

On page 3, line 37, of said bill, strike out "28232", and insert "29031".

Amendment No. 23

On page 3, line 44, of said bill, strike out "28233", and insert "29032".

Amendment No. 24

On page 3, line 48, of said bill, strike out "28234", and insert "29033".

Amendment No. 25

On page 4, line 1, of said bill, strike out "28235", and insert "29034".

Amendment No. 26

On page 4, line 9, of said bill, strike out "28236", and insert "29035".

Amendment No. 27

On page 4, line 12, of said bill, strike out "28237", and insert "29036".

Amendment No. 28

On page 4, line 15, of said bill, strike out "28238", and insert "29037".

Amendment No. 29

On page 4, line 18, of said bill, strike out "28239", and insert "29038".

Amendment No. 30

On page 4, line 23, of said bill, strike out "28240", and insert "29039".

Amendment No. 31

On page 4, line 28, of said bill, strike out "28300", and insert "29050".

Amendment No. 32

On page 4, line 34, of said bill, strike out "28301", and insert "29051".

Amendment No. 33

On page 4, line 44, of said bill, strike out "28302", and insert "29052".

Amendment No. 34

On page 5, line 12, of said bill, strike out "28320", and insert "29060".

Amendment No. 35

On page 5, line 16, of said bill, strike out "28321", and insert "29061".

Amendment No. 36

On page 5, line 24, of said bill, strike out "28322", and insert "29062".

Amendment No. 37

On page 5, line 30, of said bill, strike out "28323", and insert "29063".

Amendment No. 38

On page 5, line 49, of said bill, strike out "28324", and insert "29064".

Amendment No. 39

On page 6, line 3, of said bill, strike out "28325", and insert "29065".

Amendment No. 40

On page 4, line 12, of said bill, after "with", insert "the storage or preparation of".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

Senate Bill No. 123—An act to amend Sections 1 and 5a of an act entitled "The California Air Navigation Act," relating to air navigation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 977—An act to add Division 17, comprising Sections 30000 to 30873, inclusive, and Sections 50009, 50010, 50011, and 50012 to the Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, including the law relating to toll bridges, toll ferries and toll roads, and to repeal certain acts and parts of acts specified herein.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 126—An act to amend Section 592.1 of the Vehicle Code, relating to parking of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1

On page 1, lines 12 and 13, of the printed bill, strike out "to a vehicle owned or operated by any contractor", and insert "of a vehicle, whether privately, municipally or publicly owned,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 39

Senator Swing moved that Senate Bill No. 39 be withdrawn from Committee on Fish and Game, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 39—An act to amend Section 50 of the Fish and Game Code, relating to game management area.

Bill read second time.

Motion to Amend

Senator Swing moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, following the period, and after the word "act", insert "Such license may be issued for a commercial management area where a fee or charge is made for the privilege of shooting thereon; or for a noncommercial management area of not to exceed 300 acres, where no fee or charge is made for the privilege of shooting thereon. If the license is issued for a commercial management area, such area must be open to any licensed hunter for shooting during the entire game management season upon the payment of such fee or charge as set forth in the application filed by the licensee with the Division of Fish and Game; providing the maximum legal number of birds have not been killed on such area. If the license is issued for a noncommercial management area and no fee or charge is made by the licensee for the privilege of shooting thereon, such area shall be open to licensed hunters, during the game management season authorized for such area by the commission, in such numbers and at such times and under such conditions as the licensee shall determine to be in the interest of good management of such area."

Amendment No. 2

On page 1, line 20, of said bill, before the semicolon, insert "whether the application is for a commercial or noncommercial license;"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 472—An act to amend Section 5 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations, approved June 20, 1944," abolishing the Postwar Public Works Review Board and transferring its duties, powers, purposes, responsibilities and jurisdiction to the State Allocation Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1309—An act to amend Section 13661 of the Government Code, relating to the distribution of state publications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 530—An act to add Sections 12130.1, 12400.1, and 12402.1 to the Education Code, and to amend Sections 12400 and 12402 of said code, all relating to the provisional general elementary credential, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 359—An act to repeal Article 2, Chapter 7, Part 4, Division 5, of the Water Code, relating to the revolving fund of the Reclamation Board, and providing for the abolition of, and the disposal of the money in, said fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Slater, Swing, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 12—Relative to memorializing the Congress of the United States to support Senate Bill No. 715, providing retirement benefits for the investigatory staff of the Federal Bureau of Investigation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 369—An act to amend Section 80 of the Military and Veterans Code, relating to the powers and duties of the Director of Veterans Affairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Sutton, Swing, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 371—An act to add Section 899 to the Military and Veterans Code, relating to veterans education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Slater, Swing, Ward, Watson, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 373—An act to amend Sections 690, 694, 695, 698, 699, 700, 802, 831, 842, 986.8, 986.9, 987, 987.1, 987.2, 987.3, 987.4, 987.5, 987.6, 987.7, 987.8, 987.9, 987.10, 988, 988.2, and 988.3 of the Military and Veterans Code, relating to the Veterans Welfare Board and Department of Veterans Affairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 2:29 p.m., on motion of Senator DeLap, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 389 passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Joint Resolution No. 15: By Senator Quinn—Relative to memorializing Congress to enact H.R. 881 and H.R. 1199, granting tax exemptions to those held prisoners by the Japanese.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 176

Senate Bill No. 177

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

QUINN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 25, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 637

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

QUINN, Chairman

Above reported bill ordered to second reading.

Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 205

Senate Bill No. 357

Senate Bill No. 652

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

McBRIDE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 665

Senate Bill No. 667

Senate Bill No. 668

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

McBRIDE, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 982—An act to amend Sections 970, 972, 973, and 974 of the Fish and Game Code, relating to districts.

Bill read third time.

Motion to Amend

Senator Quinn moved the adoption of the following amendment:

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "970, 972, 973 and 974", and insert "651, 652, 666, 666.5, 970, 972, 973, 974 and 1203".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

ADJOURNMENT

At 2.33 p.m., on motion of Senator Hattfield, the President declared the Senate adjourned until 2 p.m., Thursday, March 27, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

THIRTY-SECOND LEGISLATIVE DAY

EIGHTY-FIRST CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, March 27, 1947

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—32.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Burns, on motion of Senator Powers, due to legislative business.

Senator Tenney, on motion of Senator Powers, due to legislative business.

Senator Kraft, on motion of Senator Powers, due to legislative business.

Senator Brown, on motion of Senator Powers, due to legislative business.

Senator McBride, on motion of Senator Powers, due to legislative business.

Senator Williams, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Watson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Powers of Orange County.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ray Newton and Mr. R. L. Nehf of Lemoore.

On request of Senator Judah, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Joseph Chamberlain of Watsonville and A. F. Oetl of Highland.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Henry Witte of Redwood City.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Camp Fire Girls of Napa and their leaders, Peggy Godsil and Minette Weaver: Marylen Layton, Leddilu Williamson, Virginia Jensen, Jane Edwards, Bette Mac Weaver, Jane Conley, Harriet Donaldson, Sally Van Winkle, Shirley Weaver, Joan Farnsworth, Nancy Donaldson, Margaret Bertain, Helen Wilson, Nancy Wilson, Mary Margaret Hemplar, Joy Cavagnara, Marlene Cerletti, Margaret Paris, Sally Stockman, Nancy Naff, Jeanette Lacaze, Mary Boren, Kitty Koeh, Alice Godsil, and Marilyn Clift.

On request of Senators Slater, Breed, Hatfield, Quinn, Deuel, Desmond, and Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Celestine J. Sullivan, Jr., Department of Philosophy, University of Oregon.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister Marie Eucharista, Sister Therese, and the following students of the Senior Class, Notre Dame High School, of San Francisco: Maryanne Becker, Carmelita Bremner, Harriet Burgett, Gloria Costella, Rosemary Cotruvo, Catherine Cotter, Janet Cox, La Vina De Soto, Rosemary Denike, Patriena Fabretta, Mary Louise Fraggos, Phyllis Frolli, Marian Gallagher, Evelyn Girlach, Celestine Gorra, Anita Guaraglia, Gloria Harvey, Helen Hyland, Barbara Kavanaugh, Kathleen Kerney, Yolanda Kohler, Joan Kraus, Jane Krenz, Rosemarie Lunkis, Adelaide Malone, Gloria Marrone, Josephine Moran, Esther McCarthy, Angela McInerney, Jean Niess, Gwendolyn Norris, Olga Pagani, Eileen Patch, Barbara Pierce, Doris Poggi, Patricia Rawel, Leonor Rivas, Janice Rowe, Yolanda Schielzeth, Patricia Sweeney, Claire Tollini, Eileen Welsh, and Martha Brychel.

On request of Senators O'Gara and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Walter T. Wells, Member of State Commission on School Districts of La Canada.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Will R. Sharkey of Martinez.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Col. F. T. Robson of Vina.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ray Bushwell of Upper Lake.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 63

Senate Bill No. 197

Senate Bill No. 123

Senate Bill No. 977

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 27, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 126

Senate Bill No. 379

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 27, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 982

And reports the same correctly re-engrossed.

POWERS, Chairman

Committee on Labor

SENATE CHAMBER, SACRAMENTO, March 27, 1947

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 342

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 5; noes 1; absent 1.

JUDAH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 27, 1947

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 1205

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 7; committee vote: Ayes 5; absent 2.

JUDAH, Chairman

Above reported bill ordered to second reading.

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, March 27, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 122

Senate Bill No. 1092

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

BREED, Chairman

Above reported bills ordered to second reading.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1511

Senator Hatfield moved that Senate Bill No. 1511 be withdrawn from Committee on Governmental Efficiency, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1511—An act to add Section 18104 to the Government Code, relating to sick leave.

Bill read second time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to amend Section 18005 of the Government Code, relating to personnel in state service."

PRINTER'S NOTE.—There being no 7-point strikcout type available, the material which should appear in strikcout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 18005 of the Government Code is amended to read:

18005. Upon separation from state service under this division, without fault on his part, a person *who is a permanent employee within the meaning of Section 18528* is entitled to a lump sum payment as of the time of separation for any unused or accumulated vacation or for any time off to which he is entitled by reason of previous overtime work where compensating time off for overtime work is provided for by the appointing power or by rules of the State Personnel Board.

Such sum shall be computed by projecting the accumulated time on a calendar basis so that the lump sum will equal the amount which the employee would have been paid had he taken the time off but not separated from the service. [Persons] *Such persons* separated from state service under [Part 2] this division through fault of their own are entitled to a lump sum payment for such compensating time off for overtime work, similarly computed, and in addition, such portion, if any, of unused vacation as the State Personnel Board may determine."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 962

Senator Judah moved that Senate Bill No. 962 be withdrawn from Committee on Social Welfare, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 962—An act to amend Section 7.2 of the Unemployment Insurance Act, relating to unemployment insurance and employments excluded therefrom.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "of 14"; and strike out line 6, and insert "prescribed by law for obtaining a work permit."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 31: By Senator Slater—Relative to the investigation of rheumatic fever.

Request for Unanimous Consent

Senator Slater asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 31, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 31

Senate Concurrent Resolution No. 31—Relative to the investigation of rheumatic fever.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Mayo, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)

The following resolution was offered:

Senate Concurrent Resolution No. 32: By Senator O'Gara—Relative to the Joint Committee on the Housing Problem.

Request for Unanimous Consent

Senator O'Gara asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 32, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 32

Senate Concurrent Resolution No. 32—Relative to the Joint Committee on Housing Problem.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE
MOTION TO RECONSIDER

Senate Bill No. 598—An act to amend Sections 161, 162, 164, 164.1, and 168 of the Military and Veterans Code, relating to the personnel of the office of the Adjutant General, the establishment of the rank of Major General for the Adjutant General and the qualifications therefor, the establishment of the rank of Brigadier General for the

Assistant Adjutant General and the qualifications therefor, the organization of the office of the Adjutant General, and the pay and allowances for the Adjutant General and the Assistant Adjutant General.

Motion to Reconsider Urgency Clause to Senate Bill No. 598

Pursuant to his motion previously made, Senator Quinn moved that the Senate, at this time, reconsider the vote whereby the urgency clause to Senate Bill No. 598 was refused adoption.

The roll was called, and the urgency clause to Senate Bill No. 598 reconsidered by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Hatfield, Hulse, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Swing, Watson, and Weybret—23.

NOES—Senators Desmond, Dillinger, Jespersen, Judah, and Sutton—5.

Senate Bill No. 598 ordered to third reading file.

SECOND READING OF SENATE BILLS

Senate Bill No. 679—An act to amend Sections 14.2, 15, 16, 16.1, 16.2, and 19.6 of the Fish and Game Code, relating to the general regulatory powers of the Fish and Game Commission.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 945—An act to amend Sections 794, 795, 797, 798, 799, 800, and 802, and to repeal Sections 797.5 and 799.1 of the Fish and Game Code, relating to abalones.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1036—An act to amend Section 947 of the Fish and Game Code, relating to nets.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 447—An act to amend Section 1016 and to repeal Section 1016.5 of the Fish and Game Code, relating to privilege taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and to repeal Section 1016.5".

Amendment No. 2

On page 1, lines 5 to 8, of said bill, strike out "Upon failure of any person operating under a license as provided in this article to pay such privilege tax within 30 days after the close of any month, his license shall be deemed immediately forfeited."

Amendment No. 3

On page 1 of said bill, strike out line 16.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1402—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert "of twenty-two thousand sixty-one dollars (\$22,061) in augmentation of Item 16 of the Budget Act of 1945, for support of the Legislative Counsel Bureau."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 176—An act to amend Section 7.5 of the Bank and Corporation Franchise Tax Act, Section 5.5 of the Corporation Income Tax Act, and Sections 6051, 6201, 17053.5, 19200, 19201.5, 19202, 19203.5, 19204.5, and 19205.5 of the Revenue and Taxation Code, relating to state taxation and providing for rates and exemptions, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10 to 23, inclusive.

Amendment No. 2

On page 2 of the printed bill, strike out lines 1 to 9, inclusive; and on page 2, strike out lines 19 to 41, inclusive.

Amendment No. 3

On page 3 of the printed bill, strike out lines 1 to 22, inclusive; and on page 3, strike out lines 31 to 52, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 177—An act to provide for a Commission for the Investigation and Study of State and Local Taxation, defining its powers and duties, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 15, of the printed bill, after "of", insert "one hundred thousand", and after "\$", insert "100,000".

Amendment read, and adopted.

Bill ordered printed.

Motion to Re-refer Senate Bill No. 177

Senator Quinn moved that Senate Bill No. 177 be re-referred to Committee on Revenue and Taxation.

Motion carried.

Senate Bill No. 637—An act to amend Section 18554 of the Revenue and Taxation Code, relating to the personal income tax, including the payment thereof.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 205—An act to amend Section 1100 of, and to add Section 1596.5 to, the Insurance Code, relating to insurance and the investments and assets of insurers.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 357—An act to amend Section 10203.6 of the Insurance Code, relating to insurance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 652—An act to amend Section 1194.8 of the Insurance Code, relating to excess funds investments of incorporated insurers.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 665—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 1 of the printed bill, strike out lines 19, 20, and 21, and insert
“(2) Issued to a principal eligible to have issued to him a policy of group life insurance under the provisions of Section 10203.7 and insuring not less than 10 agents as defined in that section and eligible thereunder to be insured.”

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 667—An act to add Section 10203.7 to the Insurance Code, relating to group life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 1, line 9, of the printed bill, between “whom” and “each”, insert “, or with an agent of whom.”

Amendment No. 2

On page 1, line 10, of the printed bill, strike out “with such principal or an agent of such principal”.

Amendment No. 3

On page 1, line 14, of the printed bill, strike out “or” appearing between “all” and “any”, and insert “of”.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 668—An act to amend Sections 11529 and 11530 of the Insurance Code, and to add to the Insurance Code a new section to be numbered 11529.5, all relating to voluntary mutualization of incorporated life and life and disability insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "Acquisition and Cancellation of Stock."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 28—An act to add Section 578a to the Probate Code, relating to compromises and settlements by executors or administrators of claims, rights of action and actions for death or injury by wrongful act.

Bill read second time, and ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 432—An act making an appropriation in augmentation of the appropriation in Item 187 of the Budget Act of 1945, payable from the Motor Vehicle Fund, for support of the Department of Motor Vehicles, to take effect immediately.

Bill read second time, and ordered to third reading.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 52

Assembly Concurrent Resolution No. 54

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Concurrent Resolution No. 52—Relative to declaring the golden trout the official State Fish of California.

Referred to Committee on Fish and Game.

Assembly Concurrent Resolution No. 54—Relative to approving a certain amendment to the charter of the City of Alameda, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the eleventh day of March, 1947.

Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 54, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 54

Assembly Concurrent Resolution No. 54—Relative to approving a certain amendment to the charter of the City of Alameda, a municipal corporation in the County of Alameda, State of California, voted for and

ratified by the qualified electors of said city at a general municipal election held therein on the eleventh day of March, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Busch, Crutenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Helms, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Parnaman, Powers, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 380

Assembly Bill No. 538

Assembly Bill No. 593

Assembly Bill No. 1111

Assembly Bill No. 1285

Assembly Bill No. 1416

Assembly Bill No. 2016

Assembly Bill No. 2599

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By **CARROLL PARISH**, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 380—An act to add Section 1767.4 to the Welfare and Institutions Code, relating to payment of the expense of returning to the Youth Authority persons paroled by the Youth Authority.

Referred to Committee on Social Welfare.

Assembly Bill No. 538—An act to amend Section 817 of the Penal Code, relating to peace officers.

Referred to Committee on Judiciary.

Assembly Bill No. 593—An act to amend Section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Referred to Committee on Judiciary.

Assembly Bill No. 1111—An act to add Section 6a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1285—An act to amend Section 737g of the Political Code, relating to salaries of superior court judges.

Referred to Committee on Judiciary.

Assembly Bill No. 1416—An act to amend Section 785 of the Probate Code, relating to probate sales.

Referred to Committee on Judiciary.

Assembly Bill No. 2016—An act to add Article 9 to Chapter 1, Division 10 of the Education Code, relating to the University of California.

Referred to Committee on Judiciary.

Assembly Bill No. 2599—An act making an appropriation in augmentation of Item 26 of the Budget Act of 1945, for support of the Governor and the Governor's office, to take effect immediately.

Referred to Committee on Finance.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 791—An act to amend Section 525 of the Fish and Game Code, relating to obstructions.

Motion to Re-refer Senate Bill No. 791

Senator Collier moved that Senate Bill No. 791 be re-referred to Committee on Fish and Game.

Motion carried.

Senate Bill No. 602—An act to amend Sections 450, 453, 454, 455, 456, 457, 458, and 459 of the Military and Veterans Code, relating to the administration of company punishment of members of the National Guard, to the appointment of special courts-martial, the appointment of summary courts-martial, the appointment of courts of inquiry and boards of investigating officers, the jurisdiction of general, special and summary courts-martial and the admission to bail of military persons charged with military offenses before military courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Swing, Ward, Watson, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 2.56 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 599—An act to amend Sections 321, 323, and 324 of the Military and Veterans Code, relating to the pay and allowances of enlisted men in the California National Guard, the furnishing of a uniform allowance to commissioned and warrant officers of the active militia and the pay and allowances of officers and enlisted men of the National Guard who perform special duty, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating,

McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Weybret—27.

NOES—Senator Dillinger—1.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Quinn moved a call of the Senate.

Motion carried. Time, 3.04 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE REPORTS OF STANDING COMMITTEES

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:
Senate Bill No. 74

Has had the same under consideration, and reports the same back with the recommendation: Be referred to Committee on Governmental Efficiency.

Committee membership 12; committee vote: Ayes 8; absent 4.

KEATING, Chairman

Above reported bill re-referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:
Senate Bill No. 25

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 7; noes 1; absent 4.

KEATING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 17	Senate Bill No. 328
Senate Bill No. 18	Senate Bill No. 467
Senate Bill No. 27	Senate Bill No. 468
Senate Bill No. 115	Senate Bill No. 479
Senate Bill No. 199	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 8; absent 4.

KEATING, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 379—An act to add Section 5006.5 to the Public Resources Code, relating to leasing land for state park purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating,

McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Weybret—27.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 63—An act to amend Section 506.6 of the Public Resources Code, relating to the powers and duties of the State Park Commission respecting shore line protection, improvement and development of state or publicly owned beaches, and to appointment of a Beach Erosion Control Engineer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1—An act to add Section 14053.5 to the Health and Safety Code, relating to members of the board of fire commissioners of fire protection districts in unincorporated areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senator Watson Presiding

At 3.20 p.m., Senator Clyde A. Watson of the Thirty-fifth District, presiding.

Senate Bill No. 197—An act to amend Section 4704 of the Health and Safety Code, relating to county sanitation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.21 p.m., on motion of Senator Quinn, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 599 passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo,

McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—29.

NOES—Senator Dillinger—1.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 123—An act to amend Sections 1 and 5a of an act entitled "The California Air Navigation Act." relating to air navigation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Mayo, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Ward, Watson, and Weybret—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 977—An act to add Division 17, comprising Sections 30000 to 30873, inclusive, and Sections 50009, 50010, 50011, and 50012 to the Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, including the law relating to toll bridges, toll ferries and toll roads, and to repeal certain acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Swing, Ward, Watson, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 126—An act to amend Section 592.1 of the Vehicle Code, relating to parking of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, O'Gara, Powers, Rich, Slater, Swing, Ward, Watson, and Weybret—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 497—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 497:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, March 26, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Senate Bill No. 497—"An act to amend Section 27 of an act entitled 'An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights-of-way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations,' approved June 20, 1944, relating to postwar public works programs, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 497 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Mayo moved a call of the Senate.

Motion carried. Time, 3.37 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 471—An act to amend Sections 7 and 26 of the Construction and Employment Act, relating to the State Allocation Board and to allocation of state funds to local agencies for the construction of public works.

Motion to Refer Bill to Inactive File

Senator Mayo moved that Senate Bill No. 471 be placed on the inactive file.

Motion carried.

RESOLUTIONS

The following resolution was offered:

By the Committee on Rules:

Senate Resolution No. 67

Resolved, That the sum of thirty-five thousand dollars (\$35,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the Senate Legislative Process Committee, created by Senate Resolution No. 9, adopted January 6, 1947, for any charges, expenses, or claims it may incur under the provisions of said Senate Resolution No. 9, to be paid from the contingent fund and disbursed, after certification by the chairman of the

committee, upon warrants drawn by the State Controller upon the State Treasurer, and the Treasurer is directed to pay the same.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—27.

NOES—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH**

At 3.42 p.m., on motion of Senator Mayo, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 497 adopted by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 413

Senator Breed moved that Senate Bill No. 413 be withdrawn from Committee on Education, and re-referred to Committee on Governmental Efficiency.

Motion carried.

ADJOURNMENT

At 3.47 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 9.30 a.m., Friday, March 28, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

THIRTY-THIRD LEGISLATIVE DAY

EIGHTY-SECOND CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, March 28, 1947

The Senate met at 9.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—32.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Burns, on motion of Senator Powers, due to legislative business.

Senator Tenney, on motion of Senator Powers, due to legislative business.

Senator Kraft, on motion of Senator Powers, due to legislative business.

Senator McBride, on motion of Senator Powers, due to legislative business.

Senator Williams, on motion of Senator Powers, due to legislative business.

Senator Busch, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Hulse and Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Herbert Rasmussen of McCloud.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 205

Senate Bill No. 679

Senate Bill No. 357

Senate Bill No. 945

Senate Bill No. 637

Senate Bill No. 1036

Senate Bill No. 652

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 1464

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

WARD, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 229

Senate Bill No. 370

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

WARD, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 2263

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

WARD, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 230

Senate Bill No. 773

Senate Bill No. 1476

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

WARD, Chairman

Above reported bills ordered to second reading.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, March 27, 1947

MR. PRESIDENT: The Committee on Local Government, to which was referred:
Senate Bill No. 731

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 27, 1947

MR. PRESIDENT: The Committee on Local Government, to which was referred:
Senate Bill No. 416

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 27, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 59	Senate Bill No. 929
Senate Bill No. 1117	Senate Bill No. 750
Senate Bill No. 989	Senate Bill No. 503
Senate Bill No. 1004	Senate Bill No. 508
Senate Bill No. 1005	Senate Bill No. 514
Senate Bill No. 1006	Senate Bill No. 50
Senate Bill No. 732	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1091

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 272	Senate Bill No. 1022
Senate Bill No. 321	Senate Bill No. 1089
Senate Bill No. 381	Senate Bill No. 1090
Senate Bill No. 413	Senate Bill No. 1337
Senate Bill No. 469	Senate Bill No. 1338
Senate Bill No. 831	Senate Bill No. 1485

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 320
Senate Bill No. 390

Senate Bill No. 411
Senate Bill No. 1343

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

Committee on Education

SENATE CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 67
Senate Bill No. 68
Senate Bill No. 208

Senate Bill No. 209
Senate Bill No. 210
Senate Bill No. 341

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

SLATER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 624

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Bill No. 2273

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

SLATER, Chairman

Above reported bill re-referred to Committee on Finance.

MOTION TO SET SPECIAL ORDER

Senator Hatfield moved that Senate Bill No. 342 be made a special order of business for Wednesday, April 2, 1947, at 2.30 p.m.

Motion carried.

President Pro Tempore of the Senate Presiding

At 9.45 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 342—An act to repeal Section 1135 of the Labor Code, relating to hot cargo and secondary boycotts, making the provisions of Chapter 8, Part 3, Division 2 of the Labor Code permanent.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1205—An act to amend Section 201 of the Labor Code, relating to the payment of wages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 and 4, and insert "201. If an employer discharges an employee, the wages".

Amendment No. 2

On page 1, line 6, of said bill, after the period, insert "This section shall not apply when the employer and a labor organization representing employees of such employer have entered into a valid collective bargaining agreement respecting the time and manner of wage payments to discharged employees."

Amendment No. 3

On page 1 of said bill, strike out lines 7 to 10, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

Senate Bill No. 122—An act to amend Section 5082 of the Business and Professions Code, relating to registration as a public accountant.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

In line 2 of the title of the printed bill, after "accountant", insert ", declaring the urgency thereof to take effect immediately".

Amendment No. 2

On page 1 of said bill, strike out lines 20 to 24, inclusive, and insert "during the period September 16, 1940 to March 15, 1946, was released or served under honorable conditions, filed an application within one year after release from military service or before March 15, 1948, whichever is the later, and meets one of the following requirements:

A. Demonstration of an intent to pursue the profession of public accounting prior to entry into military service by an appropriate course of study or accounting activity, such demonstration of intent to be determined with liberality.

B. Completion prior to March 15, 1951, of two years of accounting education.

C. Completion prior to March 15, 1951, of two years of accounting experience or the equivalent thereof.

No application for registration under this subdivision shall be received after March 15, 1951."

Amendment No. 3

On page 2 of said bill, after line 19, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The provision amended by this act was originally enacted to provide the means for veterans who have been absent due to military service to engage in the practice of accountancy which might otherwise be denied under the provisions of the act. This section as presently interpreted, however, does not give effect to this intent. There is at the present time a large number of unprocessed veteran applications pending before the board many of which will be denied under the present provisions of the act resulting in substantial inequities to the veterans. Under the present provisions of the act, to avoid such inequities to veterans, it is therefore urgent that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1092—An act to amend Section 8525 of the Business and Professions Code, relating to guarantees for pest control work.
Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Business and Professions:

Amendment No. 1

On page 2 of the printed bill, at the end of line 9, strike out "when", and insert "whether".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 25—An act to add Section 1662 to the Civil Code, relating to contracts for purchase and sale of real property.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 17—An act to amend Section 204 of the Code of Civil Procedure, relating to the selection of trial jurors.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 18—An act to amend Section 1425 of the Penal Code, relating to criminal jurisdiction of justices', municipal and police courts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 27—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 115—An act to amend Section 259 of, and to add Sections 259.1 and 259.2 to, the Probate Code, relating to inheritance rights of aliens.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 199—An act to add Section 2271 to the Civil Code, relating to powers and discretions of a successor trustee.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 328—An act to add Section 2272 to the Civil Code, relating to the validity of leases executed by a trustee.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 467—An act to amend Section 3210 of the Civil Code, relating to the definition of inland bills of exchange.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 468—An act to amend Section 3415 of the Civil Code, relating to actions to establish or compel the reissuance of private documents which have been lost or destroyed.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 479—An act to amend Section 718.5 of the Probate Code, relating to claims or demands by or against estates in probate.

Bill read second time, ordered engrossed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 164—An act to amend Section 980 of the Military and Veterans Code, relating to the purchases of farms and homes by veterans of World War II.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, and Watson—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1350—An act to amend Section 18101 of the Government Code, relating to sick leave.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, McCormack, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, and Watson—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 428—An act to amend Section 4281 of the Political Code and Section 28152 of the Government Code, relating to compensation for public services in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, McCormack, Powers, Quinn, Salsman, Slater, Sutton, Swing, and Watson—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 637—An act to amend Section 18554 of the Revenue and Taxation Code, relating to the personal income tax, including the payment thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Powers, Quinn, Salsman, Slater, Sutton, Swing, and Watson—22.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 205—An act to amend Section 1100 of, and to add Section 1596.5 to, the Insurance Code, relating to insurance and the investments and assets of insurers.

Bill read third time.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Desmond moved a call of the Senate.

Motion carried. Time, 10.10 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH**

At 10.15 a.m., on motion of Senator Desmond, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 205 passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, and Watson—23.

NOES—None.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 790—An act to amend Section 534 of the Fish and Game Code, relating to obstructions in streams.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, and Watson—22.

NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Senate Bill No. 193	Assembly Bill No. 721
Assembly Bill No. 718	Assembly Bill No. 722
Assembly Bill No. 719	Assembly Bill No. 723
Assembly Bill No. 720	Assembly Bill No. 725

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

DILLINGER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Senate Bill No. 265	Senate Bill No. 496
Senate Bill No. 493	Senate Bill No. 1113

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 5; absent 4.

DILLINGER, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1464—An act to add Section 3.1 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to temporary and emergency housing for veterans, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 8 of the title of the printed bill, after "veterans," insert "making an appropriation,".

Amendment No. 2

On page 1 of the printed bill, following line 16, insert

"Sec. 2. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of three million five hundred thousand dollars (\$3,500,000) or so much thereof as may be necessary for expenditure without regard to fiscal years in augmentation of the appropriation made by the act cited in the title hereof. There shall first be allocated from this appropriation for the use of the Department of Finance such amount as the Director of Finance shall determine is necessary for administration of the provisions of said act, the total of which allocation shall in no event exceed 1 percent of the appropriation herein made."

Amendment No. 3

On page 1, line 17, of the printed bill, after "Sec.", strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 229—An act to add Section 900 to the Military and Veterans Code, relating to veterans education.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "900", and insert "981.25".

Amendment No. 2

On page 1, line 1, of said bill, strike out "900", and insert "981.25".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert

"981.25. The educational assistance provided by this article shall not be afforded to any veteran until he has first exhausted any educational assistance to which he is entitled under federal statute except that the Director of Veterans' Affairs may admit the veteran to the institution if he finds that the aid available to the veteran under federal laws is insufficient to enable the veteran to complete the program of study approved by the director by reason of the cost of such education or other hardship to the veteran, or by reason of delay of the administering federal agency in granting and approving such aid. Such admission may be either for a limited time, as determined necessary by the director, or for the full period allowed by this article."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Military and Veterans Affairs.

Senate Bill No. 370—An act to amend Section 64 of the Military and Veterans Code, relating to the Department of Veterans Affairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 64", and insert "Sections 72 and 78".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 72 of said code is amended to read:

72. The California Veterans Board shall determine the policies for all operations of the department and in pursuance thereof may adopt such rules and regulations as are necessary to govern the activities of the department and to carry out the provisions of Division 4 and of Chapters 1 and 2 of Division 5 of this code [and shall determine the policies for the department].

SEC. 2. Section 78 of said code is amended to read:

78. The Director of Veterans Affairs is head of the department and, as head of the department and subject to the [direction of] policies adopted by the board, shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities and carry out and effect all [purposes] provisions now or hereafter vested by law in the department, except such duties, powers, jurisdiction, responsibilities and purposes as are [specifically] vested in the California Veterans Board by the provisions of this chapter."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Military and Veterans Affairs.

Senate Bill No. 230—An act to amend Section 78 of the Military and Veterans Code, relating to the powers of California Veterans Board and the Director of Veterans Affairs.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 773—An act to add Section 1292 to the Military and Veterans Code, relating to certain lands of the State described in Chapter 891 of the Statutes of 1939, and the leasing thereof or of parts thereof or of interests therein to veterans' associations.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1476—An act to add Division 8 to the Military and Veterans Code, relating to veterans' welfare.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 731—An act to amend Sections 6838, 6862, 6867, 6894, 6896, and 6943 of the Harbors and Navigation Code, relating to river port districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Local Government:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "revoke", and insert "reject".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 416—An act to amend Sections 120, 152, 311, 315, 340, 350, 381, 440, 460, 502, 541, 561, 583, 584, 820, 900, 901, 951, 952, 953, 954, 960, 1121, 1130, 1133, 1134, 1135, 1152, 1153, 1171, 1201, 1210, 1221, 1411, 1421, 1422, 1425, 1524, 1525, 1621, 1631, 1633, 1720, 1731, 1751, 1753, 1760, 1770, 1800, 1910, 2000, 2002, and 2005 of the Municipal Utility District Act, to repeal Sections 154, 317, 1211, 1212, 1213, 1220, 1222 thereof, to repeal Article 2, Chapter 4, Part 3, comprising Section 470 thereof, to repeal Chapter 5, Part 6, comprising Sections 1500 to 1507, inclusive, thereof, and add a new Chapter 5, Part 6, comprising Sections 1500 to 1504, inclusive, thereto, and to add Sections 17, 26, 27, 28, 604, 950.5, 1202, and 1203 thereto, relating to municipal utility districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "541,"; and in line 4 of said title, after "1425," insert "1481,".

Amendment No. 2

In line 5 of the title of said bill, after "1770," insert "1771,".

Amendment No. 3

In line 13 of the title of said bill, strike out "1202, and 1203", and insert "950.6, 1202, 1203, 1441, and 1772".

Amendment No. 4

On page 4 of said bill, strike out lines 3 to 17, inclusive.

Amendment No. 5

On page 5, lines 5 and 6, of said bill, strike out "two thousand dollars (\$2,000)", and insert "three thousand dollars (\$3,000)".

Amendment No. 6

On page 5 of said bill, between lines 36 and 37, insert

"SEC. 26.5. Section 950.6 is added to said act, to read:

Sec. 950.6. The board may provide by resolution, under such terms and conditions as it sees fit, for the payment of demands against the district without prior specific approval thereof by the board if the demand is for a purpose for which an expenditure has been previously approved by the board and in an amount not greater than the amount so authorized, and if the demand is approved by the general manager."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 7

On page 11 of said bill, between lines 11 and 12, insert

"SEC. 53.5. Section 1441 is added to said act, to read:

Sec. 1441. A special district shall have no separate corporate existence but shall be deemed to be a taxing subdivision of the district.

SEC. 53.6. Section 1481 of said act is amended to read:

Sec. 1481. The board shall recover all district funds so advanced under this chapter by means of taxes levied upon all property within the special district or from any [future] *appropriate funds or revenues of such special district*; but nothing in this section shall compel reimbursement if the tax required therefor would amount to less than one mill (\$.001) on each one hundred dollars (\$100) of assessed value of the property within the special district."

Amendment No. 8

On page 13 of said bill, strike out lines 29 to 35, inclusive, and insert

"Sec. 1770. Unincorporated territory may be annexed to a district without an election in the manner provided for in this article.

"Sec. 65.5. Section 1771 of said act is amended to read:

Sec. 1771. [Such territory shall be deemed annexed to the district upon the passage of a resolution of the board declaring the territory annexed and the filing of a certified copy thereof with the Secretary of State.] *A petition describing the territory proposed to be annexed and requesting that proceedings be taken for its annexation shall be signed by all of the owners of real property described therein, verified by the affidavit of one of the petitioners, addressed to the board and filed with the secretary of the district.*

SEC. 65.6. Section 1772 is added to said act, to read:

Sec. 1772. Proceedings shall thereafter be taken and a hearing held in substantial compliance with the provisions of this chapter relating to the annexation of unincorporated territory except that no election shall be held within the territory proposed to be annexed and such territory shall be deemed annexed to the district upon the passage of a resolution of the board declaring the territory annexed and the filing of a certified copy thereof with the Secretary of State."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

Senate Bill No. 59—An act to amend Section 4240 of the Political Code and Section 28111 of the Government Code, relating to compensation for public services in counties of the eleventh class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1117—An act to add Title 3 and Sections 500036 to 500040, inclusive, to the Government Code, to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, and to repeal acts and parts of acts specified herein.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 989—An act to amend Section 460 of the Government Code, relating to the counties of the State.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1004—An act to add Section 12461.5 to the Government Code, relating to the duties of the Controller.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1005—An act to add Section 25.5 to the Municipal Court Act of 1925, relating to the fees of marshals.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1006—An act to amend Section 27802 of the Government Code, relating to justices of the peace.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 732—An act to add Section 3722 to the Political Code, relating to the organization of river port districts for assessment and taxation purposes, declaring the urgency thereof and providing that it shall take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 929—An act to amend Section 4312 of the Political Code, relating to location and hours of office of county offices.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 750—An act to amend Section 852b of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the city manager form of government in cities of the sixth class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 503—An act amending the title of, and adding Sections 4 and 5 to an act entitled "An act relating to retirement systems covering county or township officers or employees or a portion of such employees," approved May 10, 1933, relating to all public retirement systems.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 508—An act to repeal an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, relating to county employees' retirement systems.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 514—An act repealing Chapter 2 of Part 1, of Division 4 of Title 3 of the Government Code, consisting of Sections 31250 to 31369, relating to retirement.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 50—An act to revise the Municipal Utility District Act, relating to municipal utility districts, including provisions for the organization, incorporation and government of such districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1091—An act to amend Section 11009 of the Government Code, relating to investments of funds and the sale or exchange of securities by state agencies and the powers of the Department of Finance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 1 of the title of the printed bill, after "amend", insert "Sections 1274, 1274c, and 1274.12 of the Code of Civil Procedure, exempting said sections from the provisions of".

Amendment No. 2

In line 3 of the title of said bill, after "securities", insert "or other property".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert
 "SECTION 1. Section 1274 of the Code of Civil Procedure is".

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"1274. The State Controller is hereby authorized to sell, on behalf of and in the name of the State of California, at any time and in any manner he may deem advisable, personal property heretofore or hereafter distributed to the State of California or escheated to the State of California by judgment of a court in connection with estates of deceased persons, and the proceeds of such a sale shall be delivered to and held by the State Treasurer.

The State Controller is hereby authorized to sell, cash, redeem, exchange, or otherwise dispose of any stocks, bonds, notes, debentures, certificates of deposit, or other securities, and all other classes of personal property so distributed or escheated to the State of California and deposited in the State Treasury, and, in the name and on behalf of the State of California, to sell, cash, redeem, exchange, compromise, adjust, settle, or otherwise dispose of any accounts, debts, contractual rights, or other choses in action, so distributed or escheated to the State of California, whenever, in the opinion of the Controller, such action on his part is necessary or will tend to safeguard and conserve the interests of all parties, including the State of California, having any vested or expectant interest in the property.

The State Controller shall have the power to sign, endorse, or otherwise authenticate, in the name and on behalf of the State of California, subscribing his name, as State Controller, under such writing, and securities, bills of sale, documents or other instruments required, under customary business practice, for the consummation of the transactions authorized in this section; and such endorsement shall, for all purposes whatsoever, be conclusive and binding against the State of California and the heirs, legatees or other claimants of the property covered by such endorsement.

Any real property so distributed or escheated to the State of California may be sold by the State Controller at any time after such distribution or escheat to the State, at public auction, to the highest bidder, for cash, after notice thereof by publication [.] as hereinafter provided, in a newspaper published in the county in which such real property is situate, or [.] in an adjoining county, if there be no newspaper published in such county.

Such notice shall be published once a week for at least three weeks immediately preceding the date of such sale, and shall be sufficient for all the purposes of such sale if said real property be described therein in general terms. The cost of publication shall be a charge against the proceeds of such sale, or, in case the sale is not consummated, then the cost of advertising shall be a legal charge against the appropriation for official advertising.

With the consent of the Board of Control, any such real property may be sold by the State Controller at private sale without published notice.

Upon receipt of the proceeds of any sale made pursuant to this section the State Controller shall execute, in the name of and for the State of California, a deed covering real property, and a bill of sale covering personal property, sold. The amount received from such sale shall be placed in the Estates of Deceased Persons Fund to the credit of the estate from which the property so sold was received, or, in the case of estates covered by a final judgment of escheat, to the credit of the fund and account on the books in the State Controller's office in which such escheated estates are recorded.

The State Controller may, in his discretion, reject any and all bids.

The State Controller shall not enter into any transaction which shall create or impose upon the heirs, devisees or legatees of the property involved, any obligation under an executory contract, the performance of which is not already an obligation of such heirs, devisees or legatees prior to the consummation of the transactions herein authorized.

[The State Controller, if he has complied with the provisions of this section, cannot be held to respond in damages at the suit of any person claiming loss by reason of such sale.] No suit shall be maintained by any person against the State or any officer thereof, for or on account of any transaction entered into by the State Controller pursuant to this section.

All sales, exchanges, or other transactions entered into by the State Controller pursuant to the provisions of this section are exempt from the provisions of Section 11009 of the Government Code.

SEC. 2. Section 1274e of the Code of Civil Procedure is amended to read:

1274e. When any personal property or documents evidencing title to the same have been deposited in the State Treasury for the benefit of the unlocated heirs, devisees

or legatees of estates of deceased persons, pursuant to the provisions of Title 8 of Part 3 of the Code of Civil Procedure, the State Controller is hereby authorized to sell, cash, redeem, exchange or otherwise dispose of any stocks, bonds, notes, debentures, certificates of deposit, or other securities, and all other classes of personal property, and to sell, cash, redeem, exchange, compromise, adjust, settle, or otherwise dispose of any accounts, debts, contractual rights, or other choses in action, in the name and on behalf of the heirs, devisees or legatees of such property whenever, in the opinion of the State Controller, such action on his part is necessary or will tend to safeguard and conserve the interests of all parties, including the State of California, having any vested or expectant interest in the property.

The State Controller shall have the power to sign, endorse, or otherwise authenticate, in the name and on behalf of the heirs, devisees or legatees of such property, subscribing his name, as State Controller, under such writing, any securities, bills of sale, documents or other instruments required, under customary business practice, for the consummation of the transactions authorized in this section; and such endorsement shall, for all purposes whatsoever, have the same force and effect as to the property and all persons, as if it were made in the first instance by the heirs, devisees or legatees of the property affected by such transaction.

The State Controller shall not enter into any transaction which shall create or impose upon the heirs, devisees or legatees of the property involved, any warranty or any obligation under an executory contract, the performance of which is not already a legal obligation of such heirs, devisees or legatees prior to the consummation of the transactions [therein] *herein* authorized.

Any money or other property received by the State Controller in connection with the transactions authorized by this section shall be deposited by him in the State Treasury in the Estates of Deceased Persons Fund, to the credit of the heirs, devisees, or legatees of such property.

No suit shall be maintained by any person against the State or any officer thereof, for or on account of any transaction entered into by the State Controller pursuant to this section.

All sales, exchanges, or other transactions entered into by the State Controller pursuant to the provisions of this section are exempt from the provisions of Section 11009 of the Government Code.

SEC. 3. Section 1274.12 of the Code of Civil Procedure is amended to read:

1274.12. The State Controller may sell on behalf of and in the name of the State of California any property delivered to him and deposited by him in the State Treasury pursuant to this title in the manner and with the same authority as provided by Section 1274 of the Code of Civil Procedure, and may dispose of or manage said property in the manner and with the same authority provided in Section 1274 of the Code of Civil Procedure. The proceeds from any such sale or disposition shall be deposited [with] in the State [Treasurer] *Treasury* to the credit of the Abandoned Property Fund. With the consent of the State Board of Control, the State Controller may destroy or otherwise dispose of any such property, determined by him to be valueless or of such little value that the costs of conducting a sale would probably exceed the amount realized therefrom; and neither the State Treasurer [or] *nor* State Controller [can] *shall* be held to respond in damages at the suit of any person claiming loss by reason of such destruction or disposition.

All sales, exchanges, or other transactions entered into by the State Controller pursuant to the provisions of this section are exempt from the provisions of Section 11009 of the Government Code."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 27, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 272—An act authorizing the sale and conveyance of certain property belonging to the State of California and located in what is known as Reclamation District No. 1660 in the County of Sutter, State of California.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 321—An act to repeal Chapter 5, comprising Sections 16500 to 16542, inclusive, of Part 1, Division 7, of the Business and Professions Code, and abolishing the Defense Training School Fund, relating to defense training schools.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 381—An act to add Section 13325 to the Government Code, relating to the approval of transactions by the Department of Finance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 413—An act to repeal Chapter 506 of Statutes of 1913, Chapters 426, 428, and 429 of Statutes of 1919, and Chapter 737 of Statutes of 1921, relating to appropriations to the University of California.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 469—An act to add Section 16012 to the Government Code, relating to the disposition of unexpended balances of appropriations from the State Treasury.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 831—An act authorizing the Regents of the University of California to acquire real property, and to acquire, construct, erect, equip and furnish on said real property, or any real property owned or controlled by the Regents of the University of California, dormitories or other housing facilities or boarding facilities for use by students, faculty members or employees of the University of California; providing a method of financing such project through the issuance of revenue bonds, payable from the revenues of such projects; authorizing the Regents of the University of California to maintain and operate such projects, and to prescribe, revise and collect the rentals, rates and other charges for the services and facilities furnished thereby, authorizing the issuance of such revenue bonds and providing for their payment and the rights and remedies of the holders thereof; repealing an act entitled "An act authorizing the Regents of the University of California to issue and sell bonds to provide funds for the acquisition of the real property and for the erection, equipping and furnishing thereon or upon other real property owned by said Regents of the University of California of dormitories or other housing facilities for the use of students or employees of the University of California, declaring the urgency thereof and providing that this act shall take effect immediately," approved March 18, 1946.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1022—An act to amend Sections 11271, 11272, and 11274 of, and to add Section 11275 to, the Government Code, relating to the allocation of administrative costs to special fund agencies, and the duties of the Board of Control and Controller in connection therewith.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1089—An act to amend Section 16471 of the Government Code, relating to investment of surplus state funds, and creating the Surplus Money Investment Fund.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1090—An act to amend Section 20105 of the Government Code, pertaining to the administration of the State Employees' Retirement System.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1337—An act to add Section 4707 to, and to repeal Sections 4805 and 4855 of the Labor Code, all relating to benefits payable on account of death of employees who are members of the State Employees' Retirement System.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1338—An act to amend Sections 20013 and 20038 of the Government Code, relating to classes of membership and to benefits under the Retirement Law.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1485—An act to amend Section 117 of the Labor Code, relating to offices and rooms for the Industrial Accident Commission.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 320—An act to amend Section 12465 of the Government Code, relating to the destruction of records in the custody of the Controller.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 9, of the printed bill, after the period, insert "Microfilming before destruction of the documents herein mentioned need not be done if in the opinion of the Controller and the Director of Finance there is no need to preserve a record of the documents to be destroyed."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 390—An act to add Section 6.5 to "An act to provide a unified program of construction, improvement, and equipment for state agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act," approved March 13, 1946, relating to the appropriation made by that act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 6, inclusive, and insert "An act to amend section two of "An act relating to the Postwar Employment Reserve; defining the powers and duties of state officers in connection therewith, making an appropriation for preparation of plans for a state building program, and declaring the urgency thereof, to take effect immediately", approved May 18, 1943, relating to the Postwar Employment Reserve."

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "6.5 is added to", and insert "2 of".

Amendment No. 3

On page 1, line 2, of the printed bill, strike out the comma, and insert "if amended".

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 and 4.

Amendment No. 5

On page 1, line 5, of the printed bill, strike out "Treasury is hereby transferred to", and insert

"SEC. 2. The moneys in".

Amendment No. 6

On page 1, line 6, of the printed bill, strike out the period and "The money so transferred shall continue to be available".

Amendment No. 7

On page 1 of the printed bill, strike out line 7, and insert "shall be invested and reinvested by the Director of Finance in bonds or other obligations of the United States, or for which the full faith and credit of the United States are pledged, having maturity or redeemable dates not more than five years from date of investment, and such securities may be sold or exchanged by the Director of Finance if in his opinion such sale or exchange is in the best interests of the State in effectuating the purposes of this act. The increment from such investments shall accrue to the General Fund."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 411—An act to add Section 3692.5 to the Political Code, relating to the powers and duties of the State Board of Equalization.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 and 4, and insert "3692.5. When requested, by the legislative body of any county, city or city and county, to".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1343—An act to amend Section 37 of the Alcoholic Beverage Control Act, relating to appropriations from the Alcoholic Beverage Control Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "ic" from "Alcoholic".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 67—An act to add Article 3 to Chapter 2, Division 1, of the Education Code, relating to county superintendents of schools.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 68—An act to add Sections 446, 450, and 453 to the Education Code, relating to the qualifications and salaries of county superintendents of schools.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 208—An act to amend Sections 4901, 4902, 4913, 4914, 4915, and 4953 of the Education Code, and to add Section 4912.1 to said Code, all relating to the reorganization of school districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 209—An act to amend Section 6357 of the Education Code, relating to rates of school district tax.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 210—An act to amend Section 4919 of the Education Code, relating to elections for the reorganization of school districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 341—An act to amend Section 1503 of the Education Code, relating to the interdistrict attendance of pupils.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 624—An act making an appropriation for the purchase of land and the construction and equipment of a building thereon for Hastings College of the Law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "for the purchase of land and the construction and equipment of a building thereon", and insert "to provide and equip a building".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert "hereby appropriated to the Regents of the University of California out of any money in the State Treasury not otherwise appropriated to provide and equip a suitable building in the City and County of San Francisco for Hastings College of the Law, either by the acquisition of a site and the construction and equipping of a building thereon or by the acquisition of a building and the performance of such remodeling thereof and installation of equipment as may be necessary.

The appropriation made by this act shall not be expended until authorized by the State Public Works Board and shall be subject to the same limitations and conditions as if it were an allocation made pursuant to 'An act to provide a unified program of construction, improvement, and equipment for state agencies, creating a State Public Works Board, and asking an appropriation to carry out the provisions of this act,' approved March 13, 1946.

SEC. 2. The appropriation made by this act shall be available without regard to fiscal years and shall be exempt from the provisions of Section 16304 of the Government Code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

Senate Bill No. 193—An act to add Section 19 to the Welfare and Institutions Code, declaring the legislative intent in respect to the purposes of the Welfare and Institutions Code.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 265—An act to add Section 141 to the Welfare and Institutions Code, relating to rules and regulations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 7, of the printed bill, after "California", insert a comma.

Amendment No. 2

On page 1, line 8, of said bill, after "State", and before the period, insert ", on questions involving the interpretation of the law".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 493—An act to amend Sections 9, 25, 45, 45.7, and 93 of, and to repeal Sections 9.7 and 56.5 of, and to add Sections 20.5 and 56.5 to the Unemployment Insurance Act, relating to unemployment and disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 3, line 49, of the printed bill, after "insolvent", insert ", or is delinquent in a substantial amount of contributions due under this act".

Amendment No. 2

On page 3, line 51, of said bill, strike out "and", and insert "or".

Amendment No. 3

On page 4, line 1, of said bill, strike out "and", and insert "or".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 496—An act to repeal Section 207 of, and add Section 207 to the Unemployment Insurance Act, relating to disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10 to 16, inclusive, and insert "(b) An individual shall not be eligible for unemployment compensation disability benefits for any week of unemployment due solely to a disability, for which week the commission finds that with respect to such disability he has received, or is entitled to receive, in the form of cash payments, benefits under a workmen's compensation law, or employer's liability law of this State, or of any other state, or of the Federal Government; provided, however, that if such benefits are less than the weekly amount he would have otherwise received as disability benefits under Article 10 of this act, he shall be entitled to receive for such week, if otherwise eligible, disability

benefits, reduced by the amount of such cash payments. Such benefits, if not a multiple of one dollar (\$1), shall be computed to the next highest multiple of one dollar (\$1)."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 1113—An act to amend Sections 23 and 308 of the Unemployment Insurance Act, relating to the revolving funds in the Department of Employment, declaring the urgency thereof to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 3, line 34, of the printed bill, strike out "seven hundred fifty thousand dollars (\$750,000)", and insert "one million dollars (\$1,000,000)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 2263—An act to amend Sections 1010, 1011, 1014, 1018, 1019, 1023, 1026, 1027, 1030, 1030.1, 1030.2, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1039.3, 1044, 1046, 1080, 1081, 1083, 1085, and 1088 of, to repeal Sections 1024 and 1084 of, and to add Sections 1091, 1092, 1093, and 1094 to, the Military and Veterans Code, relating to the Veterans' Home of California and to the Woman's Relief Corps Home of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 1, line 14, of the printed bill, before "direction", insert "policies adopted by the California Veterans Board and the".

Amendment No. 2

On page 5, line 2, of said bill, after the comma, insert "in accordance with the policies adopted by the California Veterans Board and".

Amendment No. 3

On page 6, line 16, of said bill, after "to the", insert "policies adopted by the California Veterans Board and to the".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 718—An act to add Section 3088.1 to the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read second time, and ordered to third reading.

Assembly Bill No. 719—An act to add Section 3474.1 to the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Bill read second time, and ordered to third reading.

Assembly Bill No. 720—An act to add Section 3084.1 to the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read second time, and ordered to third reading.

Assembly Bill No. 721—An act to amend Section 3051 of, and to add Section 3052 to, the Welfare and Institutions Code, relating to the prevention and cure of blindness, and to the powers and duties of the Department of Social Welfare in connection therewith.

Bill read second time, and ordered to third reading.

Assembly Bill No. 722—An act to amend Section 3083 of the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read second time, and ordered to third reading.

Assembly Bill No. 723—An act to amend Section 3471 of the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Bill read second time, and ordered to third reading.

Assembly Bill No. 725—An act to add Sections 3078.3 and 3475 to the Welfare and Institutions Code, relating to restoration of aid to the blind after discontinuance thereof.

Bill read second time, and ordered to third reading.

ADJOURNMENT

At 10.35 a.m., on motion of Senator Keating, the President declared the Senate adjourned until 2 p.m., Monday, March 31, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

THIRTY-FOURTH LEGISLATIVE DAY

EIGHTY-FIFTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, March 31, 1947

The Senate met at 2 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate,
presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Dorsey, on motion of Senator Collier, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator DeLap, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. E. D. Georgi, Leader, Mrs. E. H. Korsborn, and the following members of Girl Scout Troop No. 9 of Richmond: Georgia Krenkel, Diana Engeling, Georgialee Korsborn, Evelyn Crowell, Dixie Menzie, Betty Weaver, Marian Rose, Laquita Gibbs, and Judith Jaeger.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Cecil Hulse of Woodland and Helen Francis Maynard of El Centro.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Mildred Masie of Suisun.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. E. J. Blanco of Vallejo.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Geneva Harvey, Miss Mary Anne Harvey, and Miss Arlea Avery of San Leandro, Miss Betsy Bernard of Berkeley, and Miss Jane Lockuman of Chico.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. J. Howard Williams and son, J. Howard Williams III of Porterville.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Fred H. Kraft, Jr., of San Diego.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Paul Newman and Mr. Beldon Gardner of Berkeley.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Busch, Mr. Nelms Smith and Mr. Dick Smith of Ukiah.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Jack Beeman and Mr. Alan Oleson of Sacramento, and Dean and Mrs. Foreman and the following members of the Los Angeles Pacific College A Cappella Choir: Dorothy Carbaugh, Huntington Park; Virginia Croff, Muskegon, Mich.; Dorothy Ellenwood, Watsonville; Marion Hager, Orange; Caryl Harer, Alameda; Jo Lenore Lutz, Kirkland, Arizona; Elva Lue MacDonald, Los Angeles; Marie Milton, Los Angeles; Rosemary Murphy, San Diego; Martha Oaks, Empire; Jeanne Roush, Long Beach; Carolyn Sayers, Los Angeles; Grace Adams, San Jose; Edith Biddulph, Lynwood; Arleen Cheesbro, Long Beach; Patsy Finch, Los Angeles; Helen Hoover, Sacramento; Gloria Kidwell, Maywood; Dorothy Niece, Brawley; Zelma Smith, Los Angeles; Eleanore Swanson, Los Angeles; Lloyd Carr, Garden Grove; Kenneth Davis, Los Angeles; Raymond Flory, Los Angeles; Don MacPhee, Portland, Oregon; Robert Watson, Los Angeles; Stan Best, Los Angeles; C. M. Foreman, Los Angeles; Bud Hansen, Salem, Oregon; Rod Hulet, Ontario; Raymond Kelley, Portland, Oregon; Earl Magnusson, Whittier; Floyd Piper, Los Angeles; Duane Richardson, Los Angeles, and Everett Stephens, Concord.

On request of Senators Dilworth and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. W. B. LeMasters and Mr. R. L. Bloss of Sacramento.

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Baylies Coleman Clark of Sutter Creek and William C. Dillinger of Placerville.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Donald L. Williams and Mr. Richard R. Williams of Sacramento.

On request of Senators Burns, Swing, and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Assemblyman Gordon Corwin of Highlands.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Effie Walton of Los Gatos.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 32

Senate Joint Resolution No. 12

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 44

Assembly Bill No. 67

Assembly Bill No. 68

Assembly Bill No. 72

Assembly Bill No. 100

Assembly Bill No. 228

Assembly Bill No. 288

Assembly Bill No. 456

Assembly Bill No. 534

Assembly Bill No. 536

Assembly Bill No. 754

Assembly Bill No. 797

Assembly Bill No. 809

Assembly Bill No. 1227

Assembly Bill No. 1441

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 44—An act to add Section 66e to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Santa Clara, and providing for the appointment of an additional judge and for his compensation.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 67—An act to add Section 18972.5 to the Government Code, relating to physical qualifications of veterans for state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 68—An act to add Section 19057.5 to the Government Code, relating to appointments in state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 72—An act to amend Sections 986.4 and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 100—An act to amend Sections 971 and 992.1 of the Military and Veterans Code, relating to assistance to families of deceased veterans.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 228—An act to amend Section 3 of an act entitled "An act creating an additional district court of appeal known as the District Court of Appeal for the Fourth Appellate District, redividing the State into appellate districts, providing for the maintenance and

operation of said court, and making an appropriation therefor," approved June 5, 1929, relating to sessions.

Referred to Committee on Judiciary.

Assembly Bill No. 288—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners in counties, or cities and counties, having a population of 2,000,000 or over.

Referred to Committee on Judiciary.

Assembly Bill No. 456—An act to amend Section 19700 of the Health and Safety Code, relating to signs in hotels.

Referred to Committee on Public Health and Safety.

Assembly Bill No. 534—An act to add Section 261c to the Code of Civil Procedure, relating to phonographic reporters for the superior courts.

Referred to Committee on Local Government.

Assembly Bill No. 536—An act to add Section 66d to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Alameda, and providing for the appointment of additional judges and for their compensation.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 754—An act to amend Sections 4.4 and 5.1 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

Assembly Bill No. 797—An act to amend Section 20 of the Probate Code, relating to wills.

Referred to Committee on Judiciary.

Assembly Bill No. 809—An act to amend Section 17 of the Penal Code, relating to the definition of crimes as felonies or misdemeanors, and providing for the determination of classification of crimes for which offenders are committed to the Youth Authority.

Referred to Committee on Judiciary.

Assembly Bill No. 1227—An act to amend Section 869 and to repeal Section 1742 of the Welfare and Institutions Code and to add Section 869.5 thereto, relating to the support of persons committed to the Youth Authority or confined in institutions subject to its jurisdiction.

Referred to Committee on Judiciary.

Assembly Bill No. 1441—An act to amend Section 67 of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of three additional superior court judges in and for the City and County of San Francisco, and providing for their compensation.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, March 29, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 17	Senate Bill No. 467
Senate Bill No. 18	Senate Bill No. 665
Senate Bill No. 25	Senate Bill No. 668
Senate Bill No. 199	Senate Bill No. 962
Senate Bill No. 328	Senate Bill No. 1402
Senate Bill No. 447	Senate Bill No. 1511

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 29, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 50	Senate Bill No. 514
Senate Bill No. 67	Senate Bill No. 732
Senate Bill No. 68	Senate Bill No. 750
Senate Bill No. 176	Senate Bill No. 773
Senate Bill No. 193	Senate Bill No. 831
Senate Bill No. 208	Senate Bill No. 929
Senate Bill No. 209	Senate Bill No. 989
Senate Bill No. 210	Senate Bill No. 1004
Senate Bill No. 230	Senate Bill No. 1005
Senate Bill No. 272	Senate Bill No. 1006
Senate Bill No. 321	Senate Bill No. 1022
Senate Bill No. 341	Senate Bill No. 1089
Senate Bill No. 381	Senate Bill No. 1090
Senate Bill No. 413	Senate Bill No. 1337
Senate Bill No. 469	Senate Bill No. 1338
Senate Bill No. 503	Senate Bill No. 1476
Senate Bill No. 508	Senate Bill No. 1485

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 27	Senate Bill No. 468
Senate Bill No. 115	Senate Bill No. 479
Senate Bill No. 342	Senate Bill No. 667

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, March 31, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 122	Senate Bill No. 731
Senate Bill No. 320	Senate Bill No. 1092
Senate Bill No. 390	Senate Bill No. 1343
Senate Bill No. 411	

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, March 28, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 110

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 691

Senate Bill No. 1141

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 297

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 344

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 7; noes 3; absent 1.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, March 26, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 943

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 8; absent 4.

KEATING, Chairman

Above reported bill ordered to second reading.

MOTION TO APPROVE JOURNALS

Senator Powers moved that the Journals of Monday, March 24, 1947; Tuesday, March 25, 1947; Wednesday, March 26, 1947; Thursday, March 27, 1947; and Friday, March 28, 1947, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 909

Senator Slater moved that Senate Bill No. 909 be withdrawn from Committee on Education, and referred to Committee on Agriculture.

Motion carried.

MOTION TO PRINT OPINION

Senator Hatfield moved that the following opinion of the Legislative Counsel, relating to Section 1134 of the Labor Code, regarding "Hot Cargo" be printed in the Journal in 10-point type.

Motion carried.

Opinion of Legislative Counsel

STATE OF CALIFORNIA

OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO 2, CALIFORNIA, March 31, 1947

Application of Section 1134, Labor Code No. 3578

*Hon. George J. Hatfield**Senate Chamber*

DEAR SENATOR HATFIELD: You have asked whether subsections (a) and (b) of Section 1134 of the Labor Code apply to employers as well as employees.

The answer to this inquiry, which we believe to be in the affirmative, is contained in the language of the section referred to, and it is our opinion that the language itself leaves no room for doubt as to its all inclusive application.

Subsection (a) of Section 1134 is comprised of two disjunctive, definitive phrases, each of which is prefaced with the words "As used in this chapter 'Hot Cargo' means," and followed by the subjective definitive "any combination or agreement." It is to be noted that the language used is all inclusive. It does not limit the combination or agreement to *one or several* specific groups or individuals but clearly encompasses all with the words "*any* combination or agreement."

"Hot Cargo" is defined to be "any combination or agreement resulting in a refusal by employees * * * or a refusal by employers" because of a dispute in the first instance or by reason of an agreement with labor on the part of an employer in the second instance.

The language of subsection (b) of Section 1134 is substantially the same as subsection (a) both as to form and content. The definition of "secondary boycott" includes combinations or agreements of *all* kinds, whether an employer or employee group. It declares a "secondary boycott" to be *any* combination or agreement causing a refusal to perform services or handle goods by employees on the one hand and employers on the other, and in the use of broad language includes motivating action on the part of employers as well as employees.

As indicated above, it is the opinion of this office that the language leaves no room for doubt as to its all-inclusive purpose, and that it applies equally, in terms, to employers as well as to employees.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOHN P. GLEESON, DeputyCONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS

Senate Bill No. 929—An act to amend Section 4312 of the Political Code, relating to location and hours of office of county offices.

Bill read third time.

Motion to Amend

Senator Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and Sections 24254 and 24256 of the Government Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 44, insert

SEC. 2. Section 24254 of the Government Code is amended to read:

24254. Sheriffs and clerks shall also have offices in any city containing a population of not less than 7,000 as ascertained by the preceding census taken under the authority of Congress or the Legislature in which the city hall is not less than 55 miles distant from the site of the county courthouse. Such offices shall be kept open for the transaction of business continuously [from 9 o'clock a.m. until 5 o'clock p.m.] every day, except Sundays and holidays, in the period during which a superior court is in session in the city.

SEC. 3. Section 24256 of the Government Code is amended to read:

24256. [Except as specifically provided in this chapter.] The offices required by this chapter shall be kept open for the transaction of business continuously from 9 o'clock a.m. until 5 o'clock p.m. every day except Sundays and holidays, *unless different office hours are prescribed by the board of supervisors.*

SEC. 4. Sections 2 and 3 of this act become operative only if Title 3 of the Government Code is enacted by the Legislature at its Fifty-seventh Regular General Session, and in such case at the same time as said Title 3 takes effect; at which time Section 4312 of the Political Code is hereby repealed.

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 668—An act to amend Sections 11529 and 11530 of the Insurance Code, and to add to the Insurance Code a new section to be numbered 11529.5, all relating to voluntary mutualization of incorporated life and life and disability insurers.

Bill read third time.

Motion to Amend

Senator McBride moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Senate on March 27, 1947, after "commissioner", insert "under a trust agreement approved by the commissioner".

Amendment No. 2

On page 1 of said bill, strike out lines 13 and 14, and insert
"Such trustees shall hold such stock in trust".

Amendment No. 3

On page 1, line 16, of said bill, strike out the period, and "Thereupon", and insert
", but for not longer than 30 years with such extensions of not more than five years each as may be granted by the commissioner. Such extensions may be granted by the commissioner if the plan so provides and if in his opinion the plan of acquisition of all of such stock can be completed within a reasonable period. Such trustees shall vote such stock at all corporate meetings at which stockholders have the right to vote. When all of the outstanding shares of capital stock of such insurer have been acquired."

Amendment No. 4

On page 1, line 21, of said bill, before the period, insert "and such trust shall thereupon terminate".

Amendment No. 5

On page 2 of said bill, between lines 8 and 9, insert

"Upon the termination of any such voting trust, either in accordance with its terms or as hereinabove provided, such plan of mutualization shall terminate, unless theretofore completed. Upon such termination, unless the plan of mutualization provides for the disposition of the shares acquired by the insurer under such plan or for the disposition of the proceeds thereof, the shares held by such trustees shall be disposed of in accordance with an order of the superior court of the county in which is located the principal office of such insurer, made upon a verified application of the commissioner."

Amendment No. 6

On page 2, line 12, of said bill, strike out "for"; and strike out lines 13 to 21, both inclusive, and insert "for the creation of a voting trust under a trust agreement for the holding and voting by three or more trustees of any portion or all of the shares

of the insurer not acquired upon the adoption of such plan. The voting trustees shall be named in accordance with such plan or, if no provision is made therein for the naming of such trustees, then by the insurer. The voting trust agreement and voting trustees shall be subject to the approval of the commissioner. Any or all of the trustees under such voting trust agreement may be the same person or persons as any or all of the trustees referred to in Section 11529. Such voting trust agreement shall provide that in the event of acquisition by the insurer of any of the shares of stock held thereunder in accordance with the provisions of the plan, such shares so acquired together with the voting rights thereof shall be transferred by the trustees named under the provisions of this section to the trustees named under the provisions of Section 11529. Any voting trust agreement created pursuant to the provisions of this section may be made irrevocable during the existence of the trust provided for in Section 11529, and shall terminate upon the termination of the trust provided for in Section 11529, whereupon all shares held in the trust created pursuant to the provisions of this section shall revert to the persons entitled thereto by law."

Amendment No. 7

On page 2, line 30, of said bill, strike out the comma and the rest of the line, and lines 31 to 46, both inclusive, and insert a period.

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 467—An act to amend Section 3210 of the Civil Code, relating to the definition of inland bills of exchange.

Bill read third time.

Motion to Amend

Senator Cunningham moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "3210", and insert "SECTION 1. Section 3210 of the Civil Code is amended to read: 3210".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 468—An act to amend Section 3415 of the Civil Code, relating to actions to establish or compel the reissuance of private documents which have been lost or destroyed.

Bill read third time.

Motion to Amend

Senator Cunningham moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "3415", and insert "SECTION 1. Section 3415 of the Civil Code is amended to read: 3415".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 972—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 3, 4, 10, and 12 thereof, relating to the study and practice of chiropractic, said amendment to take effect upon the approval thereof by the electors,

and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read third time.

Motion to Amend

Senator Collier moved the adoption of the following amendments:

Amendment No. 1

In line 8 of the title of the printed bill, as amended in the Senate on March 26, 1947, after "4", insert "5".

Amendment No. 2

On page 2 of said bill, strike out lines 49 and 50.

Amendment No. 3

On page 2 of said bill, between lines 51 and 52, insert "ments. It shall be unlawful for any person to practice".

Amendment No. 4

On page 4 of said bill, strike out line 20, and insert "SEC. 4. Section 10 of said act is amended".

Amendment No. 5

On page 5, line 29, of said bill, strike out "4", and insert "5".

Amendment No. 6

On page 6 of said bill, strike out line 1, and insert "SEC. 6. Sections 1, 2, 3, 4, and 5, of this act shall become".

Amendment No. 7

On page 6 of said bill, strike out line 5, and insert "SEC. 7. Sections 1, 2, 3, 4, and 5 of this act shall be submitted".

Amendment No. 8

On page 6, line 15, of said bill, strike out "and 4", and insert "4, and 5".

Amendment No. 9

On page 2, line 52, of the printed bill, insert "ments. It shall be unlawful for any person to practice".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 679—An act to amend Sections 14.2, 15, 16, 16.1, 16.2, and 19.6 of the Fish and Game Code, relating to the general regulatory powers of the Fish and Game Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Basch, Carter, Crittenden, Cunningham, Delap, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Jepsen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Slater, Swing, Ward, Watson, Weybret, and Williams—28.

NOES—Senators Burns, Collier, Desmond, Donnelly, Hulse, Mayo, Powers, Sutton, and Tenney—9.

Bill ordered transmitted to the Assembly.

MOTION TO SUSPEND SENATE RULE NO. 4

Senator Tenney moved that Senate Rule No. 4 of the Standing Rules of the Senate be suspended temporarily, for the purpose of recessing the Senate.

Motion carried.

RECESS

At 2.46 p.m., on motion of Senator Tenney, the Senate recessed to hear a selection sung by the members of the Los Angeles Pacific College A Cappella Choir.

REASSEMBLED

At 2.52 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senator Keating Presiding

At 2.55 p.m., Senator Thomas F. Keating of the Thirteenth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 945—An act to amend Sections 794, 795, 797, 798, 799, 800, and 802 and to repeal Sections 797.5 and 799.1 of the Fish and Game Code, relating to abalones.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.
NOES—Senator Keating—1.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1036—An act to amend Section 947 of the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—34.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1402—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 1402:

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, March 29, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Senate Bill No. 1402—"An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, and consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 1402 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 447—An act to amend Section 1016 and to repeal Section 1016.5 of the Fish and Game Code, relating to privilege taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 176—An act to amend Section 7.5 of the Bank and Corporation Franchise Tax Act, Section 5.5 of the Corporation Income Tax Act, and Sections 6051, 6201, 17053.5, 19200, 19201.5, 19202, 19203.5, 19204.5, and 19205.5 of the Revenue and Taxation Code, relating to state taxation and providing for rates and exemptions, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 652—An act to amend Section 1194.8 of the Insurance Code, relating to excess funds investments of incorporated insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McBride, McCormack, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 665—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 667—An act to add Section 10203.7 to the Insurance Code, relating to group life insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—35.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 598—An act to amend Sections 161, 162, 164, 164.1, and 168 of the Military and Veterans Code, relating to the personnel of the office of the Adjutant General, the establishment of the rank of Major General for the Adjutant General and the qualifications therefor, the establishment of the rank of Brigadier General for the Assistant Adjutant General and the qualifications therefor, the organization of the office of the Adjutant General, and the pay and allowances for the Adjutant General and the Assistant Adjutant General, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—Senator Dillinger—1.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—Senator Dillinger—1.

Bill ordered transmitted to the Assembly.

Senate Bill No. 122—An act to amend Section 5082 of the Business and Professions Code, relating to registration as a public accountant, declaring the urgency thereof to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen,

Keating, Kraft, Mayo, McCormack, O'Gara, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.
NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 3.47 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 21—An act to add Section 6018 to the Revenue and Taxation Code, relating to the sales and use taxes.

Bill read third time.

Previous Question

Senator McBride moved the previous question.

Motion carried.

The question being on the final passage of Senate Bill No. 21.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Edmorth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Slater, Sutton, Tenney, Ward, Weybret, and Williams—28.

NOES—Senators Busch, Gordon, O'Gara, Rich, Swing, and Watson—6.

Bill ordered transmitted to the Assembly.

Senate Bill No. 750—An act to amend Section 852b of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the city manager form of government in cities of the sixth class.

Bill read third time.

Motion to Amend

Senator Slater moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 852b of", and insert "add Section 2a to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 2a is added to the act cited in the title hereof, to read:

Sec. 2a. If the petition contains a request therefor, the notice of election also shall require the voters to cast ballots which also shall include the words "For City Manager Form Of Government" and "Against City Manager Form Of Government". If a majority of the votes cast on such proposition are in favor thereof the city shall operate under the city manager form of government and no other election on such proposition shall be necessary."

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 831—An act authorizing the Regents of the University of California to acquire real property, and to acquire, construct, erect, equip and furnish on said real property, or any real property owned or controlled by the Regents of the University of California, dormitories or other housing facilities or boarding facilities for use by students, faculty members or employees of the University of California; providing a method of financing such project through the issuance of revenue bonds, payable from the revenues of such projects; authorizing the Regents of the University of California to maintain and operate such

projects, and to prescribe, revise and collect the rentals, rates and other charges for the services and facilities furnished thereby, authorizing the issuance of such revenue bonds and providing for their payment and the rights and remedies of the holders thereof; repealing an act entitled "An act authorizing the Regents of the University of California to issue and sell bonds to provide funds for the acquisition of the real property and for the erection, equipping and furnishing thereon or upon other real property owned by said Regents of the University of California of dormitories or other housing facilities for the use of students or employees of the University of California, declaring the urgency thereof and providing that this act shall take effect immediately," approved March 18, 1946.

Bill read third time.

Motion to Amend

Senator Breed moved the adoption of the following amendments:

Amendment No. 1

In line 18 of the title of the printed bill, before "real", strike out "the".

Amendment No. 2

In line 19 of the title of said bill, strike out "and furnishing thereon", and insert ", and furnishing thereon".

Amendment No. 3

In line 20 of the title of said bill, after "by", insert "the".

Amendment No. 4

In line 21 of the title of said bill, after "California", insert ",".

Amendment No. 5

In line 23 of the title of said bill, strike out "and providing", and insert ", and to provide".

Amendment No. 6

On page 12, line 27, of said bill, strike out "the real property and for the erection, equipping", and insert "real property and for the erection, equipping".

Amendment No. 7

On page 12, line 28, of said bill, after "thereon", strike out "or upon other real property owned by", and insert ", or upon other real property owned by the".

Amendment No. 8

On page 12, line 29, of said bill, after "California", insert ",".

Amendment No. 9

On page 12, lines 31 and 32, of said bill, strike out "and providing", and insert ", and to provide".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senator Desmond Presiding

At 3.57 p.m., Senator Earl D. Desmond of the Nineteenth District, presiding.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 515

Senator McBride moved that Senate Bill No. 515 be withdrawn from Committee on Water Resources, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 515—An act to amend Sections 10, 15, and 24 of the Ventura County Flood Control Act, relating to the Ventura County Flood Control District.

Bill read second time.

Motion to Amend

Senator McBride moved the adoption of the following amendments:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 8, 10, 12, 14, 15, and 24 of the Ventura County".

Amendment No. 2

In line 2 of the title of the printed bill, after "Act," insert "and to add Sections 8.1, 8.2, 8.3, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, and 46 to the said act."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 4 of the printed bill, after line 21, insert

"SEC. 4. Section 8 of the act cited in the title hereof, is amended to read:

Sec. 8. The Board of Supervisors of Ventura County shall be, and they are hereby designated as, and empowered to act as, ex officio the Board of Supervisors of said Ventura County Flood Control District, and said board of supervisors is hereby authorized to adopt reasonable rules and regulations to facilitate the exercise of its powers and duties herein set forth. Each member of the board *shall serve without compensation* [as such ex officio officer] but shall receive [a salary of fifty dollars (\$50) per month payable from the funds of the Ventura County Flood Control District in addition to his salary as county supervisor.] reimbursement for actual necessary traveling and incidental expense incurred in the performance of official business as such ex officio officers, as approved by the board.

[The district attorney, county surveyor, county assessor, county tax collector, county auditor and county treasurer of the County of Ventura, and their successors in office, and all their assistants, deputies, clerks and employees, and all other officers of said Ventura County, their assistants, deputies, clerks and employees, shall be ex officio officers, assistants, deputies, clerks and employees respectively of said Ventura County Flood Control District, and shall respectively perform, unless otherwise provided by said board of supervisors, the same various duties for said district as for said Ventura County, in order to carry out the provisions of this act; provided, however, that where the county surveyor is a registered civil engineer and is employed by the board of supervisors to supervise the engineering work of said district, the board of supervisors may provide for compensation for his services hereunder, in addition to his salary as county surveyor of Ventura County. Such increase shall be paid from the funds of the Ventura County Flood Control District.

In addition to the officers and employees herein otherwise prescribed, said board of supervisors may in their discretion appoint a chairman, a secretary and such other officers, agents and employees for said board or district as in their judgment may be deemed necessary, prescribe their duties and fix their compensation, said officers, agents and employees to hold their respective offices or positions during the pleasure of said board.

All ordinances, resolutions and other legislative acts for said district shall be adopted by said board of supervisors, and certified to, recorded and published, in the same manner, except as herein otherwise expressly provided, as are ordinances, resolutions or other legislative acts for the County of Ventura.]

SEC. 5. Section 8.1 is added to the said act, to read:

SEC. 8.1. The District Attorney, County Surveyor, County Assessor, County Tax Collector, County Auditor and County Treasurer of the County of Ventura, and their successors in office, and all their assistants, deputies, clerks and employees, and all other officers of said Ventura County, their assistants, deputies, clerks and employees, shall be ex officio officers, assistants, deputies, clerks and employees respectively of said Ventura County Flood Control District, and shall respectively perform, unless otherwise provided by said board of supervisors, the same various duties for said district as for said Ventura County, in order to carry out the provisions of this act; provided, however, that where the county surveyor is a registered civil engineer and is employed by the board of supervisors to supervise the engineering work of said district, the board of supervisors may provide for compensation for his services here-

under, in addition to his salary as County Surveyor of Ventura County. Such increase shall be paid from the funds of the Ventura County Flood Control District.

SEC. 6. Section 8.2 is added to the said act, to read:

Sec. 8.2. In addition to the officers and employees herein otherwise prescribed, said board of supervisors may in their discretion appoint a chairman, a secretary and such other officers, agents and employees for said board or district as in their judgment may be deemed necessary, prescribe their duties and fix their compensation, said officers, agents and employees to hold their respective offices or positions during the pleasure of said board.

SEC. 7. Section 8.3 is added to the said act, to read:

Sec. 8.3. All ordinances, resolutions and other legislative acts for said district shall be adopted by said board of supervisors, and certified to, recorded and published, in the same manner, except as herein otherwise expressly provided, as are ordinances, resolutions or other legislative acts for the County of Ventura.

SEC. 8. Section 36 is added to the said act, to read:

Sec. 36. Immediately following the effective date of this statute the board of supervisors shall create, a board of flood control zone commissioners, hereinafter called the commissioners, in Zone One, to be elected at an election held not later than November 20, 1947; and the board of supervisors shall create a similar board of commissioners in each other zone before beginning the construction, acquisition or operation of any project, flood control, irrigation or other works, except that preliminary surveys, test borings and similar studies may be made in any zone prior to the organization of a board of commissioners.

SEC. 9. Section 37 is added to the said act, to read:

Sec. 37. The board of flood control zone commissioners, shall consist of five members to be elected as follows:

- (1) One by the registered voters of the entire zone at large.
- (2) One by the registered voters of all of the zone not within any incorporated city.

(3) One by the registered voters of each of three divisions into which the board of supervisors shall divide all the area of the zone which is within any incorporated city. These divisions shall be as nearly equal in population as possible and each shall, whenever possible, include contiguous area or neighboring cities in the same area; provided, that no city shall be part of more than one such division.

SEC. 10. Section 38 is added to the said act, to read:

Sec. 38. The commissioners shall serve for terms of four years, with the exception of the first commissioners, and until their successors are elected and qualified. The first commissioners shall, at their first meeting, classify themselves by lot so that three members shall go out of office upon the election and qualification of their successors chosen at the first general election after the board of commissioners is established and two members shall go out of office upon the election and qualification of their successors chosen at the second general election thereafter.

SEC. 11. Section 39 is added to the said act, to read:

Sec. 39. The commissioners shall meet on the first Monday subsequent to 30 days after their election and shall organize by electing one of their members as president and one as secretary. Regular meetings shall be held thereafter at the time and place set by the commissioners. Special meetings may be called by three commissioners and notice of the holding thereof shall be mailed to each commissioner at least 48 hours before the meeting. All meetings of the commissioners shall be open to the public. A majority of the commissioners shall constitute a quorum for the transaction of business.

SEC. 12. Section 40 is added to the said act, to read:

Sec. 40. The commissioners shall receive a salary of fifty dollars (\$50) per month for their services and shall in addition be allowed their actual necessary traveling and incidental expenses incurred in the performance of official business of the zone, as approved by the board of commissioners.

SEC. 13. Section 41 is added to the said act, to read:

Sec. 41. The manner of conducting elections in the zones shall be as provided in the District Organization Act. For the purposes of the application of that act the zones shall be considered to be districts as provided in that act and the provisions of Section 4, Sections 166 to 172, and all of Division 2 of that act are hereby incorporated in this act by reference and shall have the same effect and force as if fully set forth herein.

SEC. 14. Section 42 is added to the said act, to read:

Sec. 42. All powers and duties of the board of supervisors of the Ventura County Flood Control District, with relation to or for the benefit of any zone, as provided in this act or any other provision of law, shall upon the establishment of a board of zone commissioners for such zone be transferred to and subsequently performed by the board of commissioners of such zone, with the following exceptions:

- (1) Except as provided in Sections 12, 14, 36, and 37, of this act.
- (2) Except powers and duties of the board of supervisors with relation to the holding of elections and the creation of boards of commissioners.
- (3) Except that expenditures of the board of commissioners shall be made only pursuant to annual or supplementary budgets approved by the board of supervisors.

The powers to be transferred upon the establishment of a board of commissioners in any case shall include but not be limited by those enumerated in Section 7 of this act, which said powers are approved, without, with regard to or for the benefit of a single zone. All such powers shall be exercised by the commissioners in the name of the district.

SEC. 15. Section 40 is added to the said act, to read:

SEC. 40. All county officers and employees shall continue to be ex officio officers and employees of the Ventura County Flood Control District and of the various zones thereof as provided in this act unless the boards of commissioners shall provide otherwise to cover the needs of their jurisdiction, but in any event all funds shall be paid in the treasury of the County of Ventura.

SEC. 16. Section 44 is added to the said act, to read:

SEC. 44. Where the county engineer is a licensed civil engineer and is employed by the commissioners to supervise the engineering work of any zone the commissioners may provide for compensation for his services hereunder, in addition to the salary as County Engineer of Ventura County. Such compensation shall be paid from the funds of the Ventura County Flood Control District to the credit of the zone which employs him.

SEC. 17. Section 45 is added to the said act, to read:

SEC. 45. In addition to the officers and employees herein otherwise provided the commissioners may in their discretion appoint such other officers, agents, and employees for their zone as in their judgment may be necessary, provide their duties and fix their compensation. Such officers, agents and employees shall be deemed to be employees of the district and shall hold their positions at the pleasure of the commissioners, and their compensation shall be paid from the funds of the Ventura County Flood Control District to the credit of the zone which employs them.

SEC. 18. Section 46 is added to the said act, to read:

SEC. 46. All structures, buildings and other appurtenant works for each zone shall be subject to the commissioners' control and control, recorded and published in the water transfer, except as herein otherwise expressly provided, as are ordinances, resolutions or other legislation for the County of Ventura.

SEC. 19. Section 14 of the said act is amended to read:

SEC. 14. The board of supervisors of said district may institute joint projects by successive zones for the planning, construction, maintenance, operation, extension, repair and otherwise improving any work or improvement wanted or to be located in order of said zones and of common benefit to said participating zones. For the purpose of adopting authority to proceed with any such joint project, the board of supervisors shall adopt a resolution specifying the intention to undertake such joint project, together with the engineering estimates of the cost of same and proportionate costs to be borne by the participating zones and fixing a time and place for public hearing of said resolution and which shall refer to a map or maps showing the general location and general construction of said project and shall secure the approval of each resolution by the board of supervisors of each participating zone. Notice of such hearing shall be given by publication once a week for two consecutive weeks prior to and bearing the last publication of which notice must be at least seven (7) days before said hearing, in a newspaper of general circulation, circulated in each of said participating zones, and if there be no such newspaper then by posting notice for two consecutive weeks prior to and bearing in five public places in each of said participating zones. Such notice must designate a public place in each of said participating zones where a copy of the map or maps of said joint project may be seen by any interested person, and must prior to posting in each of said public places so designated in said notice at least two weeks prior to said hearing.

At the time and place fixed for the hearing or at any time to which said hearing may be postponed, the board of supervisors shall consider all written and oral objections to the proposed joint project. Upon the conclusion of the hearing the board of supervisors must submit the proposed joint project or proceed with the same unless prior to the conclusion of said hearing written protests against the proposed joint project signed by a majority in number of the participating zones residing within either of said zones be filed with the board of supervisors, in which event said project must be postponed.

SEC. 20. Section 12 of the said act is amended to read:

SEC. 12. The board of supervisors of said district shall, in any year:

1. Levy an ad valorem tax or assessment upon all taxable property in the district to pay the costs and expenses of said Ventura County Flood Control District and to carry out any of the objects or purposes of this act of common benefit to the district and which said:

2. Levying an ad valorem tax or assessment upon all taxable property in each or any of said zones or said ad valorem tax or assessment by the commissioners thereof levied and to be levied by the board of supervisors of each participating zone, to pay the cost and expenses of operating and any of the objects or purposes of this act of special benefit to said participating zones, including the construction, maintenance, operation, extension, repair and otherwise improving any or all works or improvements within said participating zones. It is declared that all property within a given zone is equally benefited under this act.

Said taxes or assessments shall be levied and collected together with, and not separately from, taxes for county purposes, and the revenues derived from said taxes shall be paid into the county treasury to the credit of said district, and said board of supervisors shall have the power to control and order the expenditure thereof for said purposes; provided, however, that no revenues, or portions thereof, derived in any of the several zones from the taxes or assessments levied under the provisions of subdivision 2 of this section shall be expended for constructing, maintaining, operating, extending, repairing or otherwise improving any works or improvements located in any other zone except as provided in Section 14 hereof; and provided further, that no funds collected from taxes levied under subdivision 2 of this section or otherwise standing to the credit of any zone shall be expended for any purpose without the approval of the commissioners of such zone; and provided further, however, that the aggregate taxes or assessments levied under this act for any one fiscal year shall not exceed twenty cents (\$.20) on each one hundred dollars (\$100) of the assessed valuation of the taxable property in said zones exclusive of any tax or assessment levied to meet the bonded indebtedness of said zones and the interest thereon."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

WITHDRAWAL FROM COMMITTEE OF SENATE BILLS NOS. 277 AND 278

Senator Judah moved that Senate Bills Nos. 277 and 278 be withdrawn from Committee on Transportation, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 277—An act to add Section 743.7 to the Vehicle Code, relating to criminal proceedings and evidence of intoxication of drivers.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 10, of the printed bill, strike out "If a person so arrested shall request", and insert "It shall be the duty of the arresting officer to notify a person so arrested".

Amendment No. 2

On page 2, line 11, of said bill, strike out "be", and insert "is".

Amendment No. 3

On page 2, line 13, of said bill, strike out ", such permission shall be granted".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

Senate Bill No. 278—An act to amend Sections 501 and 502 of the Vehicle Code, relating to the driving of vehicles.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on March 17, 1947, strike out "five", and insert "three".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1134

Senator Hatfield moved that Senate Bill No. 1134 be withdrawn from Committee on Finance, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1134—An act to add Section 205.5 to the Agricultural Code, relating to coordination of livestock sanitary services, making an appropriation and declaring the urgency hereof to take effect immediately.

Bill read second time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on March 24, 1947, after "services", strike out the comma, and insert "and".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "and declaring the urgency hereof to take effect immediately".

Amendment No. 3

On page 2 of said bill, strike out lines 17 to 30, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 523

Senator Busch moved that Senate Bill No. 523 be withdrawn from Committee on Financial Institutions, and referred to Committee on Social Welfare.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, March 31, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1117

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, March 31, 1947

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 1177

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

JESPERSEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, March 31, 1947

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 46

Senate Bill No. 48

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

JESPERSEN, Chairman

Above reported bills ordered to second reading.

ADJOURNMENT

At 4 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1:30 p.m., Tuesday, April 1, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

THIRTY-FIFTH LEGISLATIVE DAY

EIGHTY-SIXTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, April 1, 1947

The Senate met at 1.30 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day.

Senator Dorsey, on motion of Senator Collier, due to illness.

Senator Ward, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Alex Meyer, Mr. D. V. Stewart, and Mr. J. R. Snyder, of El Centro.

On request of Senator DeLap, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Elmer Lagario, Instructor, Loa Barnes and Edmund Regalia, students of the El Cerrito High School.

On request of Senators Dilworth and Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs.

Gertrude Brown Smith, State Chairman on Legislation, Auxiliary of the Veterans of Foreign Wars, and Mrs. Phoebe M. Neron of Sacramento.

On request of Senator Judah, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ray Hewitt of Los Angeles.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Edith L. Gallup, Principal, and the following students of the Laugenour School, Woodland: Mrs. Paul Reiff, Margery Rominger, Dorothy Lutman, Shirley Roberts, Paul Roberts, Herbert Hemigan, Richard Leathers, Ronald Lutman, Alfred Cruickshank, Albert Domingo, Edward Ishisaki, Wesley Reiff, and Linson Patton.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. W. C. Woxberg, Secretary of the Thirty-fifth District Agricultural Association, and J. Emmett McNamara of Merced.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Walter Rapaport of Talmage.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

NATIONAL PALACE OF MEXICO, March 31, 1947

*Secretary of State Senate
Sacramento, California*

Replying to your favor of the twenty-fifth, the President sends you his thanks for the honorable Senate Resolution adopted inviting him to visit the Senate. He directs that I tell you that if the elaborate official plans for his coming visit to your grand Country include the State of California, he will have profound pleasure in accepting your invitation.

OFFICIAL MAYOR AMOROS

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 34
Assembly Bill No. 222
Assembly Bill No. 230
Assembly Bill No. 492
Assembly Bill No. 493
Assembly Bill No. 617
Assembly Bill No. 773
Assembly Bill No. 825

Assembly Bill No. 893
Assembly Bill No. 1327
Assembly Bill No. 1520
Assembly Bill No. 1575
Assembly Bill No. 1576
Assembly Bill No. 2282
Assembly Bill No. 2648

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 34—An act to add Sections 169 and 283 to the Fish and Game Code, relating to game refuges.

Referred to Committee on Fish and Game.

Assembly Bill No. 222—An act to amend Section 274a of the Code of Civil Procedure, relating to phonographic reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 230—An act to amend Section 9 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Referred to Committee on Judiciary.

Assembly Bill No. 492—An act to amend Section 320b of the Civil Code and Section 2218 of the Corporations Code, relating to representing shares of stock in corporations, and specifying the rights of nominees of fiduciaries to represent such shares.

Referred to Committee on Financial Institutions.

Assembly Bill No. 493—An act to amend Section 105 of the Bank Act, relating to trust companies' investments: Deposit in banks: Stock or other securities, and the registration of stock or other securities in the name of trust company nominees: Liability of corporations, their registrars and transfer agents with respect to stock registered in the name of trust company nominees.

Referred to Committee on Financial Institutions.

Assembly Bill No. 617—An act to add Section 1176.6 to the Fish and Game Code, relating to homing pigeons.

Referred to Committee on Fish and Game.

Assembly Bill No. 773—An act to amend Section 1313 of the Fish and Game Code, relating to traps.

Referred to Committee on Fish and Game.

Assembly Bill No. 825—An act to add Section 20571 to the Water Code, relating to irrigation districts and assessments of irrigation districts.

Referred to Committee on Water Resources.

Assembly Bill No. 893—An act to repeal Chapter 1a, comprising Sections 160.1 to 160.7, inclusive, of Division 2 of the Agricultural Code, relating to the registration of fruit trees.

Referred to Committee on Agriculture.

Assembly Bill No. 1327—An act amending Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1520—An act amending Section 2163 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 1575—An act to add Section 960 to the Fish and Game Code, relating to bait nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1576—An act to add Section 342 to the Fish and Game Code, relating to domestic animals on lands under the control of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Assembly Bill No. 2282—An act to amend Section 23 of the Fish and Game Code, relating to entry and inspection.

Referred to Committee on Fish and Game.

Assembly Bill No. 2648—An act to add Section 66h to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Tulare, and providing for the appointment of an additional judge and for his compensation.

Referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 467

Senate Bill No. 468

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 668

Senate Bill No. 972

Senate Bill No. 929

Senate Bill No. 750

And reports the same correctly re-engrossed.

POWERS, Chairman

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, March 31, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:

Senate Bill No. 480

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

BROWN, Vice Chairman

Above reported bill ordered to second reading.

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 348

Senate Bill No. 696

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

COLLIER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 951

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 9; committee vote: Ayes 9.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 353
Senate Bill No. 826
Senate Bill No. 1470

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

COLLIER, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 198

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 8; absent 4.

KEATING, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 74
Senate Bill No. 354

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 2
Senate Bill No. 142
Senate Bill No. 1226

Assembly Bill No. 44
Assembly Bill No. 536
Assembly Bill No. 613

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 110—An act to amend Sections 1, 2, 3, 5, and 6 of the Judges' Retirement Act, to amend and renumber Section 1.5 thereof to be Section 1.2, to add Sections 1.1, 1.3, 1.4, and 1.5 thereto, and to repeal and add Section 4 thereof, and to add Section 1.5 to the Judges' Retirement Fund Act, and amend Sections 2, 3, 4, and 4.5 thereof, relating to retirement, with retirement allowances, of judges and justices, and to contributions to the Judges' Retirement Fund to provide such retirement allowances.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 4 of the printed bill, strike out lines 37 to 48, inclusive, and insert "SEC. 11. Section 5 of the Judges' Retirement Act is amended to read:

Sec. 5. If, after retirement a retired judge engages in the practice of law, the retirement allowance otherwise payable to him shall cease, except as hereinafter provided. If, after retirement for service or for disability, a retired judge becomes entitled to any salary or other compensation as the incumbent of any public office, the retirement allowance otherwise payable to him shall, during the time he shall be entitled to receive such salary or other compensation, be reduced by the amount thereof. If, after such retirement, a retired judge shall engage in the practice of law, the period of time for which he shall be entitled to a retirement allowance under this act shall be reduced by the length of time during which such retired judge shall have engaged in the practice of law."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 691—An act to amend Section 545 of the Agricultural Code, relating to cheese.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 2 of the printed bill, after line 31, insert

"(h) Dry Monterey cheese is made by the so-called stirred curd or granular process, without added color, and molded, under pressure, into characteristic forms, and shall contain not less than 42 percent pure milk fat in the water-free substance in the case of whole milk cheese and not less than 30 percent pure milk fat in the water-free substance in the case of part skim cheese."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 1141—An act to amend Section 736.10 of the Agricultural Code, relating to minimum prices for fluid milk and fluid cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 736.10 of", and insert "add Section 735.10 to, and to amend Section 736.10 of,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 735.10 is added to Article 1 of Chapter 10 of Division 4 of the Agricultural Code, to read:

735.10. Minimum prices paid to producers for fluid milk shall be established by a method which is based both upon the amount of milk fat and solids-not-fat contained in the fluid milk, taking into consideration the ranges in milk fat tests and the ranges in values of the solids-not-fat contained in such milk.

SEC. 2. Section 736.10 of said code is".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 297—An act relating to the marketing of farm products and to provide for the regulation of the unloading and handling thereof when delivered to markets.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 344—An act to repeal Chapters 1, 2, 3, 4, 5, and 6 and to renumber Chapters 10 and 11 to be Chapters 13 and 14, respectively, of, and to add Chapters 1 to 10, inclusive, to, Division 4 of the Agricultural Code, relating to milk and milk products and the production, handling, sale, distribution, and processing thereof and of products resembling or imitating them.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 12, line 21, of the printed bill, strike out the period, and insert "nor a limitation on ordinances which prescribe minimum standards for milk fat and solids not fat higher than those established in this division in market milk after standardization by a distributor."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 943—An act to add Section 1274.10a to the Code of Civil Procedure, relating to abandoned property or escheated property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, between "property" and the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, of said bill, after line 17, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

There is on deposit in the State Treasury sums of money presumed to have been abandoned by owners. This act clarifies the terms and conditions under which heirs, legatees, or creditors may claim said funds. There are pending and unsettled in California numerous problems affecting these funds which should be immediately made subject to the conditions of this act. In order to protect the legal rights of all parties, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1177—An act to amend Sections 8710 and 8719 of the Water Code, relating to the powers and duties of the Reclamation Board.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Water Resources:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Sections 8708 and 8709 to Article 6, Chapter 3, Part 4 of Division 5 of the Water Code, relating to the powers and duties of the Reclamation Board."

Amendment No. 2

Strike out lines 1 to 12 of the printed bill, and insert

"SECTION 1. Section 8708 is added to Article 6, Chapter 2, Part 4 of Division 5 of the Water Code, to read:

8708. Whenever the board has given assurances to the Secretary of War pursuant to Article 2 of Chapter 3 of this part, that the State will maintain and operate works after completion in accordance with regulations prescribed by the Secretary of War, it is unlawful for any person or public agency to in anywise interfere with or obstruct the performance of the maintenance or operation of such works, including, but not limited to, the encroachment upon any land, or right of way or easement thereon, acquired by the board for the maintenance or operation of any levee or other such works."

Amendment No. 3

Strike out lines 13 to 21 of the printed bill, and insert

"SEC. 2. Section 8709 is added to Article 6, Part 4 of Division 5 of the Water Code, to read:

8709. Any use of any such land, right of way, or easement in violation of the preceding section, whether for cultivation, planting of crops or trees, storage or disposal of material, or other encroachment upon, or use of such land, right of way, or easement which does or may interfere with or obstruct such operation or maintenance, constitutes a public nuisance, and the board may commence and maintain a suit in the name of the people of the State for the prevention or abatement of such nuisance."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

Senate Bill No. 46—An act to add Section 20702 to the Water Code, relating to the formation of irrigation districts.

Bill read second time.

Motion to Amend

Senator Deuel moved the adoption of the following amendment:

Amendment No. 1

In line 2 of the title of the printed bill, after "districts", insert ", declaring the urgency thereof, to take effect immediately."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 48—An act to add Section 14½ to the County Waterworks District Act, relating to the dissolution of county waterworks districts and the disposition of property of county waterworks districts.

Bill read second time.

Motion to Amend

Senator Deuel moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, before "14½.", insert "Sec."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 972—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 3, 4, 5, 10, and 12 thereof, relating to the study and practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 357—An act to amend Section 10203.6 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 668—An act to amend Sections 11529 and 11530 of the Insurance Code, and to add to the Insurance Code a new section to be numbered 11529.5, all relating to voluntary mutualization of incorporated life and life and disability insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Swing, Tenney, Watson, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 17—An act to amend Section 204 of the Code of Civil Procedure, relating to the selection of trial jurors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Tenney, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 18—An act to amend Section 1425 of the Penal Code, relating to criminal jurisdiction of justices', municipal and police courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 27—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 28—An act to add Section 578a to the Probate Code, relating to compromises and settlements by executors or administrators of claims, rights of action and actions for death or injury by wrongful act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 115—An act to amend Section 259 of, and to add Sections 259.1 and 259.2 to, the Probate Code, relating to inheritance rights of aliens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 467—An act to amend Section 3210 of the Civil Code, relating to the definition of inland bills of exchange.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen,

Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 468—An act to amend Section 3415 of the Civil Code, relating to actions to establish or compel the reissuance of private documents which have been lost or destroyed.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Sutton, Swing, Tenney, Watson, Weybret, and Williams—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 773—An act to add Section 1292 to the Military and Veterans Code, relating to certain lands of the State described in Chapter 891 of the Statutes of 1939, and the leasing thereof or of parts thereof or of interests therein to veterans' associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Swing, Tenney, Watson, and Williams—30.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1476—An act to add Division 8 to the Military and Veterans Code, relating to veterans' welfare.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Tenney, Watson, Weybret, and Williams—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 731—An act to amend Sections 6838, 6862, 6867, 6894, 6896, and 6943 of the Harbors and Navigation Code, relating to river port districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Watson, Weybret, and Williams—32.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 59—An act to amend Section 4240 of the Political Code and Section 28111 of the Government Code, relating to compensation for public services in counties of the eleventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Kraft, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1117—An act to add Title 3 and Sections 500036 to 500040, inclusive, to the Government Code, to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, and to repeal acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 989—An act to amend Section 460 of the Government Code, relating to the counties of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1004—An act to add Section 12461.5 to the Government Code, relating to the duties of the Controller.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1005—An act to add Section 25.5 to the Municipal Court Act of 1925, relating to the fees of marshals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Keating,

Kraft, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1006—An act to amend Section 27802 of the Government Code, relating to justices of the peace.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 732—An act to add Section 3722 to the Political Code, relating to the organization of river port districts for assessment and taxation purposes, declaring the urgency thereof and providing that it shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hulse, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 750—An act to add Section 2a to "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the city manager form of government in cities of the sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 503—An act amending the title of, and adding Sections 4 and 5 to an act entitled "An act relating to retirement systems covering county or township officers or employees or a portion of such

employees," approved May 10, 1933, relating to all public retirement systems.

Motion to Refer Bill to Inactive File

Senator DeLap moved that Senate Bill No. 503 be placed on the inactive file.

Motion carried.

Senate Bill No. 508—An act to repeal an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, relating to county employees' retirement systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 514—An act repealing Chapter 2 of Part 1, of Division 4 of Title 3 of the Government Code, consisting of Sections 31250 to 31369, relating to retirement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 50—An act to revise the Municipal Utility District Act, relating to municipal utility districts, including provisions for the organization, incorporation and government of such districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Slater, Swing, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 272—An act authorizing the sale and conveyance of certain property belonging to the State of California and located in what is known as Reclamation District No. 1660 in the County of Sutter, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Slater, Swing, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 321—An act to repeal Chapter 5, comprising Sections 16500 to 16542, inclusive, of Part 1, Division 7, of the Business and Professions Code, and abolishing the Defense Training School Fund, relating to defense training schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 381—An act to add Section 13325 to the Government Code, relating to the approval of transactions by the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 413—An act to repeal Chapter 506 of Statutes of 1913, Chapters 426, 428, and 429 of Statutes of 1919, and Chapter 737 of Statutes of 1921, relating to appropriations to the University of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 469—An act to add Section 16012 to the Government Code, relating to the disposition of unexpended balances of appropriations from the State Treasury.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1022—An act to amend Sections 11271, 11272, and 11274 of, and to add Section 11275 to, the Government Code, relating

to the allocation of administrative costs to special fund agencies, and the duties of the Board of Control and Controller in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1337—An act to add Section 4707 to, and to repeal Sections 4805 and 4855 of the Labor Code, all relating to benefits payable on account of death of employees who are members of the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1338—An act to amend Sections 20013 and 20038 of the Government Code, relating to classes of membership and to benefits under the Retirement Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—28.

NOES—Senator Carter—1.

Motion to Reconsider

Senator Keating moved to reconsider the vote whereby Senate Bill No. 1338 was passed.

Postponement of Reconsideration

On motion of Senator Keating, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 1338 was passed, was continued until the next legislative day.

Senate Bill No. 320—An act to amend Section 12465 of the Government Code, relating to the destruction of records in the custody of the Controller.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 390—An act to add Section 6.5 to "An act to provide a unified program of construction, improvement, and equipment for state agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act," approved March 13, 1946, relating to the appropriation made by that act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 411—An act to add Section 3692.5 to the Political Code, relating to the powers and duties of the State Board of Equalization.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senator Brown Presiding

At 3.54 p.m., Senator Charles Brown of the Twenty-eighth District, presiding.

Senate Bill No. 1343—An act to amend Section 37 of the Alcoholic Beverage Control Act, relating to appropriations from the Alcohol Beverage Control Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 67—An act to add Article 3 to Chapter 2, Division 1, of the Education Code, relating to county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Motion to Reconsider

Senator DeLap moved to reconsider the vote whereby Senate Bill No. 67 was passed.

WHEREAS, The program of horse breeding carried on by the United States Army is far too extensive to be maintained by any private breeders or organization of livestock growers, and the discontinuance of the program will result in a deterioration of quality of horses produced in the United States, which will in turn result in great economic loss to the people of California and the Western States generally; now, therefore, be it

Resolved by the Senate of the State of California, That the United States Army is hereby urged to continue the horse breeding program of the Remount Service of the Quartermaster Corps, and to maintain a sufficient number of remount depots to carry on the service, in order that the quality of horses raised in the United States may continue to improve; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the United States, to the Secretary of War, to the President pro Tempore of the Senate, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and, on motion of Senator Powers, adopted.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Tenney moved that Senate Bill No. 542 be taken from the inactive file, and placed on the second reading file.

Motion carried.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Tenney moved that Senate Bill No. 170 be taken from the inactive file, and placed on the second reading file.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: I hereby appoint Senators Mayo, McBride, and Collier as a subcommittee to consider and submit policy report and recommendations of and concerning judges salaries including a recommendation as to the proportion thereof to be paid by the State.

RALPH E. SWING, Chairman,
Governmental Efficiency Committee

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 735

Senator Carter moved that Senate Bill No. 735 be withdrawn from Committee on Natural Resources, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 735—An act making an appropriation to the Division of Forestry for making a forest survey in cooperation with the California Forest and Range Experiment Station.

Bill read second time.

Motion to Amend

Senator Carter moved the adoption of the following amendments:

Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "making a survey of forest, range, and watershed lands in cooperation with the California".

Amendment No. 2

On page 1 of the printed bill, strike out line 5, and insert "for making a survey of forest, range, and watershed lands in cooperation with the California".

Amendment No. 3

On page 1, line 6, of the printed bill, after "determine", insert "the character of their vegetation cover; the".

Amendment No. 4

On page 1, line 10, of the printed bill, strike out "the forest", and insert "these".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Natural Resources.

REPORTS OF STANDING COMMITTEES**Committee on Transportation**

SENATE CHAMBER, SACRAMENTO, March 31, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred: Assembly Bill No. 489

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 12; absent 1.

McCORMACK, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 32—Relative to the Joint Committee on the Housing Problem;

Senate Joint Resolution No. 12—Relative to memorializing the Congress of the United States to support Senate Bill No. 715, providing retirement benefits for the investigatory staff of the Federal Bureau of Investigation;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the first day of April, 1947, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 831

And reports the same correctly re-engrossed.

POWERS, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel regarding "Hot Cargo" printed in the Journal in 10-point type:

Opinion of Legislative Counsel**OFFICE OF LEGISLATIVE COUNSEL**

SACRAMENTO 2, CALIFORNIA, March 31, 1947

Constitutionality of "Hot Cargo" Law as amended by Senate Bill No. 342, as amended in Senate, March 17, 1947.—No. 3618

Hon. George J. Hatfield

Senate Chamber

DEAR SENATOR HATFIELD: You have directed our attention to Senate Bill No. 342, as amended in Senate March 17, 1947, and ask whether the amended bill in any way modifies the opinion prepared by us on January 19, 1947.

In compliance with your request we have examined the amended bill and find therein nothing which would cause us to modify the opinion rendered on January 19, 1947, in regard to the constitutionality of the "Hot Cargo" Law.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOHN P. GLEESON, Deputy

SACRAMENTO 2, CALIFORNIA, January 19, 1947

Constitutionality of the Hot Cargo Act—
Labor Code Sections 1131-1136, No. 164

Hon. George J. Hatfield
Senate Chamber

DEAR SENATOR HATFIELD: Transmitted herewith is a proposed amendment to the "Hot Cargo" Act which you requested. It is the opinion of this office that this is the only change necessary to make the act permanent in view of our analysis which follows:

Since the Hot Cargo Act became effective in December, 1942, there have been no decisions handed down from our high courts on the question of its constitutionality, and there have been no recent decisions from either the United States Supreme Court or the State Supreme Court since those reported in opinions issued by this office in 1941-42. Several cases have arisen in the superior court, however, with varying results, and there is at least one case involving the validity of the act pending before the California Supreme Court at the present time. (*Application of W. T. Blancy, Writ of Habeas Corpus, Criminal 4733.*)

The opinion previously prepared in this office concluded:

(1) That the act outlaws:

- (a) The secondary strike;
- (b) The sympathetic strike;
- (c) The secondary boycott; and
- (d) Picketing in aid of each of the foregoing.

(2) It does not affect the primary strike, the primary boycott, or picketing in aid of either.

(3) The constitutionality of the act insofar as it outlaws the secondary and sympathetic strike, and secondary boycott is unquestioned, but decisions handed down from the United States Supreme Court since *Senn vs. Tile Layers Union*, 301 U. S. 468 (1937) identifying picketing with free speech, place the validity of its proscription in question. As indicated previously, the question of constitutionality goes only to the inclusion of picketing within the provisions of the act.

The trend of the federal decisions is not all in one direction, and while the probabilities lean toward unconstitutionality, in respect to the restriction of secondary picketing under the act, they go no further. It appears however, although most of the cases strengthen the freedom of speech aspect, that the Supreme Court in its most recent decision has recognized that it may have gone too far in balancing the interest of free speech with other constitutional guarantees. In *Carpenters Union vs. Ritter*, 315 U. S. 722, (1941), Mr. Justice Frankfurter stated at page 727:

"It is true that by peaceful picketing, working men communicate their grievances. As a means of communicating the facts of a

labor dispute, peaceful picketing may be a phase of the constitutional right of free utterance. But recognition of peaceful picketing as an exercise of free speech does not imply that the states must be without power to confine the sphere of communication to that directly related to the dispute. Restriction of picketing to the area of the industry within which a labor dispute arises, leaves open to the disputants other traditional modes of communication. To deny to the states the power to draw this line is to write into the Constitution the notion that every instance of peaceful picketing—anywhere and under any circumstances—is necessarily a phase of the controversy which provoked the picketing.”

This language is not as positive nor as forceful as that previously used by the court in *Thornhill vs. Alabama*, 310 U. S. 106 (1940), where it said:

“Peaceful picketing is an exercise of the right of free speech guaranteed by the 14th Amendment * * *”

It is apparent from this change of attitude that the court is willing to concede that even peaceful picketing is something more than free speech; i.e., that it is a coercive action which infringes on the right of an individual to do business. This, not the free speech doctrine, was the basis of decision in the *Carpenters Union vs. Ritter* case, by the Texas court. (149 SW 2d 694). The decision there referred to the Texas anti-trust laws and the court stated:

“The 14th Amendment of the Federal Constitution does not make unconstitutional the use of an injunction as a means of preventing the violation of Texas anti-trust laws.”

Teller, on Labor Disputes and Collective Bargaining, Vol. 1, at page 63, 1943 Supplement, sums up the present state of confusion as follows:

“In the absence of a clarified decision by the Supreme Court rejecting the mistaken identification of picketing with free speech, or conceding the enjoinability of picketing where carried on in furtherance of torts, the line separating baseless restrictions from those which the Supreme Court will allow is difficult, if not impossible, to draw.”

“But,” he adds, in conclusion, “the Supreme Court would seem to have reinvested the courts of the several states with jurisdiction to reconcile the demands of organized labor with the regime of free enterprise, and to make the reconciliation effective by enjoining unlawful picketing.”

The decisions handed down in the lower courts of our State show that the superior court bench is divided on the question of whether the restriction of peaceful picketing in conjunction with secondary strikes and boycotts is unconstitutional. Judge Washburn states the problem succinctly in his decision on three cases (*infra*) arising in the Los Angeles Superior Court:

“Neither the United States Supreme Court nor that of California has furnished any precedent requiring or warranting a holding that the instant statute is unconstitutional in proscribing the Hot Cargo and Secondary Boycott—unless perchance that result

grows out of the picketing phase of these labor instrumentalities and the contention that it cannot be restricted or regulated."

Judge Willis, also of the Los Angeles bench, in *Ramser vs. Van Storage, etc., Local Union*, L. A. Superior Court files No. 512,326, said:

"Subject to the intimation appearing in recent decisions of the United States Supreme Court as to the immunity of peaceful picketing from court restraint, there does not appear in this legislation any violation or transgression of any provision of either our State or Federal Constitutions."

He goes on to say, however, referring to the "Hot Cargo" Act:

"Herein the Legislature has spoken outright, declaring it public policy by outlawing both the secondary strike and secondary boycott together with their incidents. Of these incidents, the chief one is the picket line * * * this court is bound to hold that the State had the right to enact the act herein questioned, that it does not contravene the 14th Amendment, and that it is constitutional and enforceable in all the parts which relate to this action, and that upon proper showing, an aggrieved party or employer is entitled to relief by way of injunction as well as damages. And such injunction may reach out and attach its restraint to any act, combination or agreement which directly or indirectly causes, induces or compels a violation of any of the provisions of the act. Among the acts embraced are those of secondary striking, secondary boycott in its commonly accepted meaning, conducted in combination or agreement, and picketing conducted solely in aid of such unlawful activities at plants or places of business of others than the plaintiff."

Judge Washburn upheld the validity of the act in all its aspects in the following cases:

Los Angeles Downtown Shopping News Corporation vs. Los Angeles Central Labor Council, etc., et al., L. A. Superior Court files No. 516,314.

Plaintiff, a publisher, was subject to threats and secondary boycotting by defendants who also threatened newspapers and other concerns doing business with plaintiff that they would be picketed and boycotted as well, unless they discontinued doing business with the plaintiff publisher. As a result, the newspapers refused to accept further business from plaintiff and engravers who had previously done work under contract refused to serve him further. Defendants also picketed and boycotted plaintiff's advertisers.

Plaintiff had no dispute with its employees but the defendants were engaged in a dispute with the Pacific Press which printed and distributed the plaintiff's publication under contract. The boycotting of plaintiff and firms with which plaintiff did business was effectuated solely to bring pressure upon the Pacific Press.

The court recognized the complaint as one stating a cause of action for secondary boycott within the statute, but sustained the demurrers thereto and dissolved a temporary restraining order because of insufficiency of the pleadings.

Simon Brick Company, Incorporated, vs. Union Brick Tile and Clay Workers of America, etc., et al., L. A. Superior Court files No. 516,329.

Plaintiff brought action against numerous defendants, alleging a combination and agreement within the definition of secondary boycott and hot cargo, Labor Code 1131-1136.

Defendants attempted to negotiate a union shop agreement with plaintiff, a brick manufacturer, who had no dispute with his employees. Unsuccessful, the defendants proceeded by agreement to notify trucking companies and firms dealing with plaintiff that they could no longer continue to do business with him under threat of having their own employees strike.

Pursuant to these threats, the truck companies refused to haul bricks for the plaintiff, and customers discontinued purchases, and refused delivery of quantities previously ordered.

The court found that the defendants were acting in concert if not by agreement and held it to be sufficiently equivalent to an agreement to warrant a preliminary injunction, which was granted.

Van De Kamps Holland Dutch Bakers, Inc., vs. International Brotherhood of Teamsters, etc., et al., L. A. Superior Court files No. 515,878.

Defendant union sought to organize the truck drivers of plaintiff, a large baking concern with 115 retail outlets, five of which were operated by plaintiff under lease.

Defendants picketed owners of plaintiff's leased stores and during the picketing, employees of the owner-employers ceased work with the result that the owners agreed with defendants to terminate month to month tenancies held by plaintiff and to refuse to renew existing leases.

Injunction granted as to defendant unions; demurrers of employer defendants sustained on grounds that they were acting involuntarily and under compulsion.

Other cases arising in the superior court, however, have held that the instant act is unconstitutional in its application to picketing because of a supposed unlawful restraint of free speech. The decisions in each case are based on the theory that picketing is not an integral part of the proscribed concerted pressure upon the nondisputant employer and it is treated as freedom of speech alone. (*Bear vs. Los Angeles Building Trades Council, Los Angeles County Superior Court No. 492,770; Union Ice Company vs. Sales Drivers, etc., Union, San Diego County Superior Court No. 131,560; and Butte vs. Distillery, etc., Union, Fresno County Superior Court No. 70957.*)

Conclusion

Because the Supreme Court in *Carpenter's and Joiner's Union vs. Ritter's Cafe*, 315 U. S. 722, indicated that peaceful picketing could be confined to an industry, although no definition or test was given, and intimated in *Bakery Driver's Union vs. Wohl*, 315 U. S. 769, that it would sustain an injunction where the picketing is for an unlawful objective, it seems reasonable that "secondary" picketing in conjunction with strikes and boycotts is enjoined under the provisions of the "Hot Cargo" Act, Labor Code, Sections 1131-1136. And since picketing, even as free speech, is not an end in itself but only a means to an end, it should follow that the statutory restriction of picketing as an adjunct of the

secondary strike or boycott is proper and valid, and not prohibited by the Constitution—the purpose and object of such picketing being unlawful under the act.

This view is further supported by the court's departure from its former position of aligning picketing with freedom of speech.

The code provisions apply only to concerted action—they do not pertain to individual action. In its application to concerted action, the act is an anti-trust law and a modification of the Cartwright Act to the extent that it proscribes restraint of trade by the concerted action of labor groups.

From this viewpoint, and in the light of the United States Supreme Court cases, the act would seem to be but an enactment of a state policy that does not contravene the prohibitions of the Constitution.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOHN P. GLEESON, Deputy

ADJOURNMENT

At 4.23 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Wednesday, April 2, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

THIRTY-SIXTH LEGISLATIVE DAY

EIGHTY-SEVENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, April 2, 1947

The Senate met at 1.30 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Dorsey, on motion of Senator Keating, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following faculty members and students of the Pacific Union College group of Angwin: Mr. Hop, Mr. and Mrs. McCoy, Bernice Hickok, Vera Benson, Rosemary Anderson, Joan Simpson, Doris Hanson, Joyce Lang, Betty Lundstrom, Robert Champion, Joyce Plubell, Phil Parks, Coleen Keehnel, Howard Anderson, Alice Chidester, Iva Dee York, Jeanne Kittle, John Lipkens, Mr. Robytoff, Analie Messer, Mr. and Mrs. Meier, Mr. Metcalfe, Miss Fickers, Roy Robinson, Dorothy Green, Dorothy Crisp, Violet Voth, Carol Danielson, Barbara Brauer, Carolyn Sevener, Ivylyn Traves, Betty Jo Chapman, Gracie Brubaker, Glen Dieffenbacher, Bill Penner, Glenn Zachary, Doreen Kitto, Barbara Babcock, Dick Teghtmeyer, Gerald

Fuller, Warner Vitelle, John Trummer, Leonard Taylor, Elaine Jenkins, Justine Chittenden, Thomas Watson, Mr. and Mrs. W. Williams, Douglas Hunter, Wilfred Wileman, and Dale Beecham.

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Willard D. Keller of El Centro and Mr. V. F. Frizzell of Los Angeles.

On request of Senator Watson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Ralph Watson, Mrs. Ralph Watson, daughter Lynn, and son Frank.

On request of Senators Collier and Carter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. A. E. Royce of Fall River Mills.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Evergreen Senior Service Club, and their children, of Santa Clara County: Mr. and Mrs. Alvin Mello, Mary Scholz, Mr. and Mrs. Tony Benassi, Mr. and Mrs. Manuel Casho, Phil Casho, Beverly Casho, Joe Quadros, Mary Louise Scerine, Lucien Gassman, Rose Gassman, Frank Gassman, Lucien Gassman, Jr., Mr. and Mrs. Jack Mirassou, Frank Corbal, Eloise Simpson, Mr. and Mrs. Joe Canciamilla, Mrs. P. L. Mirassou, Leon Renaud, Bill Renaud, Ida Maniglia, Mr. and Mrs. Dick Cambiano, Tony Costa, Mr. and Mrs. E. H. Weld, Mr. and Mrs. N. Mirassou, and Mr. and Mrs. E. O. Mirassou.

On request of Senator Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Bert Gill and Gordon Gill of Santa Maria.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. M. C. Collins, Mrs. J. S. Hardin, and Mrs. John Koftinow, Leaders, and the following members of Girl Scout Troop No. 12 of Turlock: Dorothy Burns, Marlene Anderson, Joselyn Hardin, Janet Hardin, Margaret Collins, Geraldine Crowell, Donna Mayou, Frances Peterson, Paula Mikkelsen, Sharon Julien, Freida Stalians, Beverly Midboe, and Elaine Koftinow.

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Claudius N. White of Oakland.

On request of Senator Jespersen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Edward J. Gilmet of San Luis Obispo.

On request of Senator Weybret, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. T. R. Merrill of Salinas.

On request of Senator O'Gara and Secretary of the Senate J. A. Beck, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Harry Greib, Engineering Officer, Transport Service, and Mrs. Greib, of San Francisco.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ralph A. Taylor, Mr. E. J. Krueger, Mr. Edward Digardi, Ella W. Ryan, S. L. Kelly, Mary Arline Brady, Marion Heller Kent, and Mr. George L. Cadwalder, of San Francisco.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Bentley Mathews of Arbuckle.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Monroe Sangdon and Mr. J. E. Pardee of Stockton.

On request of Senators Hatfield, Busch, and Carter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. James Corley and Mr. Nibs Price of the University of California and Mr. Lynn Waldorf of Northwestern University.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. J. E. Richardson of Los Angeles.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Tom Hamilton and Mr. Howard Turrentine of San Diego, and Mr. Robert Schumacher of Eagle Rock.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, April 2, 1947

To the Senate of the State of California

I have the honor to inform you that I propose to make the following appointments, and respectfully request your confirmation thereof and consent thereto:

HARRY LUTGENS, a resident of San Rafael, member of the State Personnel Board since July 25, 1946;

as member of the State Personnel Board, vice Archibald B. Tinning, resigned, for the term prescribed by law, ending January 15, 1951.

FORD A. CHATTERS, a resident of Lindsay; publisher; Secretary of the California Highway Commission; former Member of the California State Assembly in 1933 and 1935; formerly a member of the State Personnel Board from May 2, 1943 to February 19, 1946;

as member of the State Personnel Board, vice Harry Lutgens, term expired, for the term prescribed by law, ending January 15, 1957.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, April 2, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN: I have the honor to transmit herewith a true copy of a resolution of the Congress of the United States entitled "Joint Resolution Proposing an amendment to the Constitution of the United States relating to the terms of office of the President", passed during the first session of the Eightieth Congress of the United States.

As requested by the Secretary of State of the United States, I am submitting this joint resolution to the Legislature for such action as it may take.

Respectfully,

EARL WARREN, Governor

No. 1486

UNITED STATES OF AMERICA

(SEAL)

DEPARTMENT OF STATE

To all to whom these presents shall come, Greeting:

I CERTIFY That the copy hereto attached is a true copy of a Resolution of Congress entitled "Joint Resolution Proposing an amendment to the Constitution of the United States relating to the terms of office of the President," the original of which is on file in this department.

In testimony whereof, I, DEAN ACHESON, Acting Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed

by the authentication officer of the said department, at the City of Washington, in the District of Columbia, this twenty-fifth day of March, 1947.

(SEAL)

DEAN ACHESON
Acting Secretary of State
By M. P. CHAUVIN
Authentication Officer,
Department of State.

EIGHTIETH CONGRESS OF THE UNITED STATES OF AMERICA
AT THE FIRST SESSION

Begun and held at the City of Washington on Friday, the third day of January,
one thousand nine hundred and forty-seven

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relating
to the terms of office of the President.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE . . .

"Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this article shall not apply to any person holding the office of President when this article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term.

"Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several states within seven years from the date of its submission to the States by the Congress."

JOSEPH W. MARTIN, JR.
Speaker of the House of Representatives
WILLIAM F. KNOWLAND
Acting President of the Senate pro Tempore

Message read, and referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 142	Assembly Bill No. 1094
Assembly Bill No. 189	Assembly Bill No. 1095
Assembly Bill No. 334	Assembly Bill No. 1096
Assembly Bill No. 399	Assembly Bill No. 1099
Assembly Bill No. 697	Assembly Bill No. 1206
Assembly Bill No. 749	Assembly Bill No. 1340
Assembly Bill No. 796	Assembly Bill No. 1347
Assembly Bill No. 849	Assembly Bill No. 1367
Assembly Bill No. 1011	Assembly Bill No. 1385
Assembly Bill No. 1062	Assembly Bill No. 1531
Assembly Bill No. 1082	Assembly Bill No. 1626
Assembly Bill No. 1088	Assembly Bill No. 2148
Assembly Bill No. 1093	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 142—An act to amend Section 67a of the Code of Civil Procedure, relating to judges in the counties of the first class.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 189—An act to amend Section 4300h of the Political Code, relating to coroners' fees.

Referred to Committee on Local Government.

Assembly Bill No. 334—An act to add Section 14654.5 to the Health and Safety Code, relating to members of the board of directors of fire protection districts in one or more counties.

Referred to Committee on Local Government.

Assembly Bill No. 399—An act to add Section 14053.5 to the Health and Safety Code, relating to members of the board of fire commissioners of fire protection districts in unincorporated areas.

Referred to Committee on Local Government.

Assembly Bill No. 697—An act to amend Section 16273 of the Education Code, relating to the definition of a school bus.

Referred to Committee on Education.

Assembly Bill No. 749—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Referred to Committee on Local Government.

Assembly Bill No. 796—An act to amend Section 7100 of the Health and Safety Code, relating to control of the disposition of the remains of a deceased person.

Referred to Committee on Public Health and Safety.

Assembly Bill No. 849—An act to amend Section 9 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Referred to Committee on Local Government.

Assembly Bill No. 1011—An act to add Article 4 to Chapter 1 of Division 4 of the Education Code, relating to the rendering of services by governing boards of school districts and county superintendents of schools.

Referred to Committee on Education.

Assembly Bill No. 1062—An act to amend Section 1 of the Annexation of Uninhabited Territory Act of 1939, relating to the alteration of boundaries of municipalities.

Referred to Committee on Local Government.

Assembly Bill No. 1082—An act to add Section 5942 to the Education Code, relating to loans to school districts from the county school service fund.

Referred to Committee on Education.

Assembly Bill No. 1088—An act adding Section 9.8 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and county fire protection district officers and employees, namely county foresters, firewardens and county fire protection district firemen as

defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 19, 1939, Statutes 1939, Chapter 174, Sections 9.3, 9.4, and 9.8 to the County Peace Officers' Retirement Law, and Sections 31904.5, 31985, 32038, and 32338 to the Government Code, and relating to retirement.

Referred to Committee on Local Government.

Assembly Bill No. 1093—An act to amend Section 13502 of the Education Code, relating to district retirement plans, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1094—An act to amend Section 14135.1 of the Education Code, relating to district retirement plans, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1095—An act to amend Section 14736 of the Education Code, relating to district retirement salary plans.

Referred to Committee on Education.

Assembly Bill No. 1096—An act to amend Section 2103 of the Education Code, relating to compensation of board members.

Referred to Committee on Education.

Assembly Bill No. 1099—An act to amend Section 16271 of the Education Code, relating to school busses.

Referred to Committee on Education.

Assembly Bill No. 1206—An act to amend Section 4245 of the Political Code and Section 28116 of the Government Code, relating to compensation for public service in counties of the sixteenth class.

Referred to Committee on Local Government.

Assembly Bill No. 1340—An act to ratify and confirm city ordinances which granted pueblo lands for cemetery purposes.

Referred to Committee on Local Government.

Assembly Bill No. 1347—An act to add Section 19258 to the Government Code, relating to payment to state employees for personal property damaged or destroyed in the line of duty.

Referred to Committee on Institutions.

Assembly Bill No. 1367—An act to amend Section 6050 of the Penal Code, relating to the salaries of wardens and superintendents of state correctional institutions.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1385—An act to add Section 14744 to the Education Code, relating to school district retirement plans.

Referred to Committee on Education.

Assembly Bill No. 1531—An act to amend Section 20343.1 of the Education Code, relating to the refund of state college student fees.
Referred to Committee on Education.

Assembly Bill No. 1626—An act to add Section 829.6 to the Agricultural Code, relating to sale of fruits and nuts in "consumer packages."
Referred to Committee on Agriculture.

Assembly Bill No. 2148—An act to amend Section 4312 of the Political Code and Sections 24254 and 24256 of the Government Code, relating to location and hours of office of county offices.
Referred to Committee on Local Government.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 7
Assembly Constitutional Amendment No. 9

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to Section 23 of Article IV of the Constitution of said State, relating to the compensation of Members of the Legislature.

Referred to Committee on Governmental Efficiency.

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of California by amending Section 14, Article I, thereof, relating to immediate possession in eminent domain proceedings.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 46
Senate Bill No. 48
Senate Bill No. 943

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 344

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 297
Senate Bill No. 515

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 343

Senate Bill No. 853

Senate Bill No. 684

Senate Bill No. 865

Senate Bill No. 687

Senate Bill No. 868

Senate Bill No. 688

Senate Bill No. 873

Senate Bill No. 695

Senate Bill No. 874

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 830

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 8; noes 2; absent 1.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 686

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 1108

Senate Bill No. 1131

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 12

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

CRITTENDEN, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 608

Senate Bill No. 1481

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:
Senate Bill No. 322

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; noes 1; absent 1.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:
Senate Bill No. 39

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

GORDON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:
Senate Bill No. 791

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

GORDON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:
Assembly Joint Resolution No. 26

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 10; absent 1.

GORDON, Chairman

Above reported resolution ordered to third reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:
Senate Joint Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolution ordered to third reading.

Chief Assistant Secretary Cleve V. Taylor at the Desk

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 480—An act to amend Section 602 of the Penal Code, and Sections 4102 and 4127 of the Public Resources Code, and to add Section 4126.5 to the Public Resources Code, relating to establishing, regulating, and protecting fire hazard areas.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 348—An act to add Division 15, comprising Sections 20700 to 20808, inclusive, and to add Section 40009 and 40010 to Division 30 of the Health and Safety Code to consolidate and revise the law relating to the regulation of the sale of poisons, and to repeal acts and parts of acts specified herein.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 696—An act to add Section 10251.5 to the Health and Safety Code, relating to delayed birth registration of adopted persons.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 353—An act to add Chapter 3, comprising Sections 430 to 435.6, inclusive, to Part 1 of Division 1 of the Health and Safety Code, and to repeal Chapter 56 of the Statutes of the Fifty-sixth (First Extraordinary Session of the Legislature, providing for a program of surveying hospital and health center facilities and of construction of additional hospital and health center facilities to be administered by the State Department of Public Health, implementing the Federal Hospital Survey and Construction Act, establishing the Advisory Hospital Council, and providing for state assistance to public agencies for the construction of hospitals and health centers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

On page 4, line 13, of the printed bill, strike out "Hospital Survey and Construc-"; and strike out lines 14 to 17, inclusive, and insert "Department of Public Health Fund in the State Treasury."

Amendment No. 2

On page 5, line 12, of the printed bill, strike out "Hospital Survey and Construction Fund," and insert "Department of Public Health Fund."

Amendment No. 3

On page 5, lines 16 and 17, of the printed bill, strike out "in the Hospital Survey and Construction Fund", and insert "deposited in the Department of Public Health Fund in accordance with the provisions of this article".

Amendment No. 4

On page 5, line 19, of the printed bill, after "chapter.", insert "Any such funds received and not expended for the purposes of this article shall be repaid to the Treasury of the United States."

Amendment No. 5

On page 2, line 44, of the printed bill, insert:

"Sec. 430.8. This chapter shall not apply to any sanatorium or institution conducted by or for the adherents of any well recognized church or religious denomination for the purpose of providing facilities for the care or treatment of the sick who depend upon prayer or spiritual means for healing in the practice of the religion of such church or denomination."

Amendment No. 6

On page 4 of the printed bill, strike out lines 29, 30, 31, and 32, and insert "determined on the basis of the relative need of different sections of the population and of different areas lacking adequate hospital facilities, giving special consideration to hospitals serving rural communities and areas with relatively small financial resources, and in accordance with the regulations of the Surgeon General prescribed pursuant to the federal act, and shall provide for their construction in the order of relative need so determined, insofar as financial resources available therefor and for maintenance and operations make it possible."

Amendment No. 7

In line 2 of the title of the printed bill, after "Code," insert "Section 4052g to the Political Code and Section 25369 to the Government Code,".

Amendment No. 8

In line 12 of the title of the printed bill, after "centers", insert ", and for county grants to local hospital districts".

Amendment No. 9

On page 6 of the printed bill, after line 7, insert

"Sec. 4. Section 4052g is added to the Political Code to read:

4052g. By a four-fifths vote of the board of supervisors, any county in which a local hospital district including the entire county has been organized may grant any money accumulated in a capital outlay fund pursuant to Chapter 717 of the Statutes of 1937 to the local hospital district.

SEC. 5. Section 25369 is added to the Government Code to read:

25369. By a four-fifths vote of the board of supervisors, any county in which a local hospital district including the entire county has been organized may grant any money accumulated in a capital outlay fund pursuant to Chapter 717 of the Statutes of 1937 to the local hospital district.

SEC. 6. Section 5 of this act becomes operative only if Title 3 of the Government Code is enacted by the Legislature at this session, and in such case at the same time as said Title 3 takes effect; at which time Section 4052g of the Political Code, added by this act, is hereby repealed."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 826—An act amending Section 6489 of the Health and Safety Code, relating to the Sanitary District Act of 1923, and fixing compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 6489", and insert "Sections 6489 and 6564".

Amendment No. 2

Strike out lines 2 and 3 of the title of said bill, and insert "relating to sanitary districts."

Amendment No. 3

On page 1, line 7, of the printed bill, strike out "twenty-five dollars (\$25)", and insert "thirty dollars (\$30)".

Amendment No. 4

On page 1 of said bill, after line 17, insert

"Sec. 2. Section 6564 of said code is amended to read:

6564. For election of officers and for bond elections the board shall select one, and may select not more than ten, polling places in the district."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1470—An act to add Chapter 11, comprising Sections 29000 to 29065, inclusive, to Division 21 of the Health and Safety Code, relating to restaurants as herein defined.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

In line 3, of the title of the printed bill, as amended in the Senate on March 26, 1947, strike out "29000 to 29065", and insert "28600 to 28665".

Amendment No. 2

On page 1, lines 2 and 3, of said bill, strike out "29000 to 29005", and insert "28600 to 28605".

Amendment No. 3

On page 1, line 10, of said bill, strike out "29000", and insert "28600".

Amendment No. 4

On page 1, line 12, of said bill, strike out "29001", and insert "28601".

Amendment No. 5

On page 1, line 15, of said bill, strike out "29002", and insert "28602".

Amendment No. 6

On page 1, line 21, of said bill, strike out "29003", and insert "28603".

Amendment No. 7

On page 2, line 4, of said bill, strike out "29004", and insert "28604".

Amendment No. 8

On page 2, line 6, of said bill, strike out "29005", and insert "28605".

Amendment No. 9

On page 2, line 13, of said bill, strike out "29020", and insert "28620".

Amendment No. 10

On page 2, line 18, of said bill, strike out "29021", and insert "28621".

Amendment No. 11

On page 2, line 23, of said bill, strike out "29022", and insert "28622".

Amendment No. 12

On page 2, line 28, of said bill, strike out "29023", and insert "28623".

Amendment No. 13

On page 2, line 32, of said bill, strike out "29024", and insert "28624".

Amendment No. 14

On page 2, line 35, of said bill, strike out "29025", and insert "28625".

Amendment No. 15

On page 2, line 40, of said bill, strike out "29026", and insert "28626".

Amendment No. 16

On page 3, line 3, of said bill, strike out "29027", and insert "28627".

Amendment No. 17

On page 3, line 11, of said bill, strike out "29028", and insert "28628".

Amendment No. 18

On page 3, line 19, of said bill, strike out "29029", and insert "28629".

Amendment No. 19

On page 3, line 35, of said bill, strike out "29030", and insert "28630".

Amendment No. 20

On page 3, line 42, of said bill, strike out "29031", and insert "28631".

Amendment No. 21

On page 3, line 49, of said bill, strike out "29032", and insert "28632".

Amendment No. 22

On page 4, line 1, of said bill, strike out "29033", and insert "28633".

Amendment No. 23

On page 4, line 6, of said bill, strike out "29034", and insert "28634".

Amendment No. 24

On page 4, line 14, of said bill, strike out "29035", and insert "28635".

Amendment No. 25

On page 4, line 17, of said bill, strike out "29036", and insert "28636".

Amendment No. 26

On page 4, line 20, of said bill, strike out "29037", and insert "28637".

Amendment No. 27

On page 4, line 23, of said bill, strike out "29038", and insert "28638".

Amendment No. 28

On page 4, line 28, of said bill, strike out "29039", and insert "28639".

Amendment No. 29

On page 4, line 33, of said bill strike out "29050", and insert "28650".

Amendment No. 30

On page 4, line 39, of said bill, strike out "29051", and insert "28651".

Amendment No. 31

On page 4, line 49, of said bill, strike out "29052", and insert "28652".

Amendment No. 32

On page 5, line 17, of said bill, strike out "29060", and insert "28660".

Amendment No. 33

On page 5, line 21, of said bill, strike out "29061", and insert "28661".

Amendment No. 34

On page 5, line 29, of said bill, strike out "29062", and insert "28662".

Amendment No. 35

On page 5, line 35, of said bill, strike out "29063", and insert "28663".

Amendment No. 36

On page 6, line 3, of said bill, strike out "29064", and insert "28664".

Amendment No. 37

On page 6, line 8, of said bill, strike out "29065", and insert "28665".

Amendment No. 38

On page 1, lines 18 and 19, of the printed bill, strike out "kitchen or other place", and insert "kitchens".

Amendment No. 39

On page 3, line 18, of the printed bill, strike out the period, and insert "except where single service eating and drinking utensils are used exclusively."

Amendment No. 40

On page 4, line 43, of the printed bill, strike out "If the", and all of lines 44 to 48, inclusive.

Amendment No. 41

On page 6, line 9, of the printed bill, strike out "in the kitchen".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 198—An act to amend Section 1538.5 of the Probate Code, relating to leases by guardians.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 842 and".

Amendment No. 2

In line 2 of the title of said bill, after "by", insert "executors or administrators, or".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, before line 1, insert

"SECTION 1. Section 842 of the Probate Code is amended to read:

842. At the time appointed, the court shall hear the petition and any objection thereto that may have been presented; and if the court is satisfied that it will be to the advantage of the estate, it shall make an order authorizing [and directing] the executor or administrator to make such lease. *The order shall set forth the minimum rental or royalty and the period of the lease which shall be for such time as the court may authorize [must not be longer than 10 years except that for the purpose of production of minerals, oil, gas or other hydrocarbon substances, the lease may be for a fixed period not to exceed 20 years and so long thereafter as minerals, oil, gas or other hydrocarbon substances are produced in paying quantities from the property leased. The order shall prescribe the minimum rental or royalty and the period of the lease, and may] authorize [prescribe] other terms and conditions, including, with respect to a lease for the purpose of production of minerals, oil, gas or other hydrocarbon substances, a provision for the payment of rental and royalty to a depository, and for the appointment of a common agent to represent the interest of all the lessors [.] , and, if the lease is for the purpose of production of oil, gas or other hydrocarbon substances, including a provision for the payment of a compensatory royalty in lieu of rental and in lieu of drilling and producing operations on the land covered by the lease, and including a provision empowering the lessee to enter into any agreement authorized by Section 3301 of the Public Resources Code with respect to land covered by the lease.* If the lease covers additional property owned by other persons or an undivided interest of the decedent, or other interest of the decedent less than the entire ownership in the property, it may provide for division of rental and royalty in the proportion that the land or interest of each owner bears to the total area of the land or total interests covered by such lease. *A lease for the purpose of production of minerals, oil, gas or other hydrocarbon substances may be for a fixed period, and so long thereafter as minerals, oil, gas or other hydrocarbon substances are produced in paying quantities from the property leased or mining or drilling operations are conducted thereon and, if the lease provides for the payment of a compensatory royalty, so long as such compensatory royalty is paid, and, if the land covered by the lease is included in an agreement authorized by Section 3301 of the Public Resources Code, so long as oil, gas or other hydrocarbon substances are produced in paying quantities from any of the lands included in any such agreement or drilling operations are conducted thereon. A certified copy of the order shall be recorded in the office of the recorder of every county in which the leased land or any portion thereof lies."*

Amendment No. 4

On page 1, line 1, of said bill, strike out "Section 1", and insert "Sec. 2".

Amendment No. 5

On page 1, line 11, of said bill, after "lessors", insert "and including, with respect to a lease for the purpose of production of oil, gas or other hydrocarbon substances, a provision for the payment of a compensatory royalty in lieu of rental and in lieu of drilling and producing operations on the land covered by the lease, and including a provision empowering the lessee to enter into any agreement authorized by Section 3301 of the Public Resources Code with respect to the land covered by the lease".

Amendment No. 6

On page 1, line 23, of said bill, after "leased", insert "or mining or drilling operations are conducted thereon and, if the lease provides for the payment of a compensatory royalty, so long as such compensatory royalty is paid, and, if the land covered by the lease is included in an agreement authorized by Section 3301 of the Public Resources Code, so long as oil, gas or other hydrocarbon substances are produced in paying quantities from any of the lands included in any such agreement or drilling operations are conducted thereon".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 74—An act to amend Section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class and the number thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 3 of the title of the printed bill, after "number", insert "of judges".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "-----", and insert "fifty-five".

Amendment No. 3

On page 1, line 10, of the printed bill, strike out "-----", and insert "twenty-eight".

Amendment No. 4

On page 2, line 5, of the printed bill, strike out "-----", and insert "five".

Amendment No. 5

On page 2, line 10, of the printed bill, strike out "-----", and insert "five".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 354—An act to add Section 11275 to the Government Code, relating to the administrative costs of state agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out the comma, and insert "or".

Amendment No. 2

On page 1, line 6, of said bill, strike out "or any other fund".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 2—An act to add Section 66d to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of San Joaquin, and providing for the appointment of an additional judge and for his compensation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 142—An act to amend Section 10 of the Municipal Court Act of 1925, relating to the constitution of said court and the judges, clerks, marshals and attaches thereof.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1226—An act to amend Section 21300 of the Government Code, relating to the State Employees' Retirement System in respect to the disability retirement pension payable to persons gainfully employed.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 542—An act to amend Section 4004.5 of the Political Code and Section 23010 of the Government Code, relating to loans by counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 170—An act to add Section 13.1 to the County Waterworks District Act, relating to county waterworks districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 951—An act making an appropriation for expenditure by the State Fire Marshal in carrying out the provisions and purposes of Chapter 8, Part 3, Division 13 of the Health and Safety Code, and of Senate Concurrent Resolution No. --- of 1947, relating to inflammable materials, the act to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out the blank, and insert "twelve thousand".

Amendment No. 2

On page 1, line 3, of said bill, strike out the blank, and insert "12,000".

Amendment No. 3

In line 4 of the title of the printed bill, strike out the blank, and insert "21".

Amendment No. 4

On page 1, line 6, of said bill, strike out the blank, and insert "21".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 44—An act to add Section 66e to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Santa Clara, and providing for the appointment of an additional judge and for his compensation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 536—An act to add Section 66d to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Alameda, and providing for the appointment of additional judges and for their compensation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 613—An act to amend Section 12922 of the Insurance Code, relating to printing for the Department of Insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 489—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1

On page 2 of the printed bill, as amended, in the Assembly on March 25, 1947, between lines 7 and 8, insert

"(6) A wagon or van used exclusively for carrying products of farming from one part of a farm to another part thereof, or from one farm to another farm, and

used solely for agricultural purposes, including any van used in harvesting alfalfa, which is only incidentally operated or moved on a highway as a trailer.

(7) A wagon or portable house on wheels used solely by shepherds as a permanent residence in connection with sheepraising operations and moved from one part of a ranch to another part thereof or from one ranch to another ranch, which is only incidentally operated or moved on a highway as a trailer."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

THIRD READING OF SENATE BILLS

Senate Bill No. 676—An act to amend Sections 803, 922, and 943 of the Fish and Game Code, relating to fish, mollusks, and crustaceans and the taking thereof.

Motion to Refer Bill to Inactive File

Senator Quinn moved that Senate Bill No. 676 be placed on the inactive file.

Motion carried.

Senate Bill No. 674—An act to amend Section 72, and to repeal Section 73 of the Fish and Game Code, relating to districts.

Motion to Refer Bill to Inactive File

Senator Quinn moved that Senate Bill No. 674 be placed on the inactive file.

Motion carried.

Senate Bill No. 982—An act to amend Sections 970, 972, 973, and 974 of the Fish and Game Code, relating to districts.

Motion to Refer Bill to Inactive File

Senator Quinn moved that Senate Bill No. 982 be placed on the inactive file.

Motion carried.

Senate Bill No. 943—An act to add Section 1274.10a to the Code of Civil Procedure, relating to abandoned property or escheated property, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Mayo, McBride, McCormack, Powers, Quinn, Rich, Slater, Sutton, Tenney, Watson, and Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Tenney, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 46—An act to add Section 20702 to the Water Code, relating to the formation of irrigation districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 48—An act to add Section 14½ to the County Waterworks District Act, relating to the dissolution of county waterworks districts and the disposition of property of county waterworks districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hulse, Jespersen, Keating, Kraft, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

MOTIONS TO RECONSIDER

Senate Bill No. 1338—An act to amend Sections 20013 and 20038 of the Government Code, relating to classes of membership and to benefits under the Retirement Law.

Postponement of Reconsideration

Senator DeLap moved that the motion by Senator Keating to reconsider the vote whereby Senate Bill No. 1338 was passed, be continued to the next legislative day.

The roll was called, and the motion carried by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Senate Bill No. 67—An act to add Article 3 to Chapter 2, Division 1, of the Education Code, relating to county superintendents of schools.

Postponement of Reconsideration

Senator DeLap moved that his motion to reconsider the vote whereby Senate Bill No. 67 was passed, be continued to the next legislative day.

The roll was called, and the motion carried by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse,

Jespersen, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—32.
 NOES—None.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1269

Senator Donnelly moved that Senate Bill No. 1269 be withdrawn from Committee on Finance, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1269—An act making an appropriation to pay the claim of E. J. Kovats against the State of California.

Bill read second time.

Motion to Amend

Senator Donnelly moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, strike out "----- dollars (\$-----)", and insert "one thousand eight hundred eighty dollars thirty-nine cents (\$1,880.39)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 374

Senator Ward moved that Senate Bill No. 374 be withdrawn from Committee on Revenue and Taxation, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 374—An act to amend Sections 105 and 106 of the Revenue and Taxation Code, relating to the definitions of improvements and personal property, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Ward moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on January 28, 1947, strike out "105 and 106", and insert "608 and 2188".

Amendment No. 2

In line 2 of the title of said printed bill, after "Code", insert "and to add Section 2188.1 to said code".

Amendment No. 3

In lines 2 and 3 of the title of said printed bill, strike out "the definitions of improvements and personal property and," and insert "taxes on improvements, and".

Amendment No. 4

On page 1, line 1, of said printed bill, strike out "105", and insert "608".

Amendment No. 5

On page 1 of said printed bill, strike out all of lines 3 to 22, both inclusive, and insert

"608. Improvements shall be assessed by the assessor by showing their value opposite the description of the parcel of land on which they are located, if they are assessed to the same assessee."

Amendment No. 6

On page 1, line 23, of said printed bill, strike out "106", and insert "2188".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 7

On page 1 of said printed bill, strike out lines 25 to 27, both inclusive; and on page 2, strike out lines 1 to 12, both inclusive, and insert

"2188. Every tax on improvements is a lien on the taxable land on which they are located, [whether] if they are assessed to the [landowner or to some other] same person to whom the land is assessed."

SEC. 3. Section 2188.1 is added to said code, to read:

2188.1. Every tax on improvements assessed to a person other than the assessee of the land on which they are located is a lien on the real property of the owner of such improvements."

Amendment No. 8

On page 2, line 13, of said printed bill, strike out "3", and insert "4".

Amendment No. 9

On page 2 of said printed bill, strike out all of lines 19 to 42, both inclusive, and insert

"Some counties assess certain improvements to the tenants installing such improvements rather than to the assessee of the land upon which such improvements are located. Nevertheless under existing law it is necessary to make such improvement assessments a lien upon such land. In such counties it will simplify the assessment procedure if such lien is eliminated; thereby facilitating the assessment of property and the orderly flow of tax revenue for the support of all functions of local government, including law enforcement, protection of life and property, fire protection, health and sanitation. If this act goes into effect immediately it will be possible to effect such changes in assessment procedure during the 1947 assessment season."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 1092—An act to amend Section 8525 of the Business and Professions Code, relating to guarantees for pest control work.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—34.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 199—An act to add Section 2271 to the Civil Code, relating to powers and discretions of a successor trustee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—36.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 328—An act to add Section 2272 to the Civil Code, relating to the validity of leases executed by a trustee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—35.

NOES—Senator Carter—1.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Senate Bill No. 342 was taken up.

Senate Bill No. 342—An act to repeal Section 1135 of the Labor Code, relating to hot cargo and secondary boycotts, making the provisions of Chapter 8, Part 3, Division 2 of the Labor Code permanent.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Ward, Watson, Weybret, and Williams—32.

NOES—Senators Carter, DeLap, Jespersen, O'Gara, Swing, and Tenney—6.

Bill ordered transmitted to the Assembly.

Senate Bill No. 479—An act to amend Section 718.5 of the Probate Code, relating to claims or demands by or against estates in probate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Desmond, Deuel, Dillinger, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Slater, Sutton, Swing, Ward, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 230—An act to amend Section 78 of the Military and Veterans Code, relating to the powers of California Veterans Board and the Director of Veterans Affairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Jespersen, Judah, Kraft, Mayo, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 831—An act authorizing the Regents of the University of California to acquire real property, and to acquire, construct, erect, equip and furnish on said real property, or any real property owned or controlled by the Regents of the University of California, dormitories or other housing facilities or boarding facilities for use by students,

faculty members or employees of the University of California; providing a method of financing such project through the issuance of revenue bonds, payable from the revenues of such projects; authorizing the Regents of the University of California to maintain and operate such projects, and to prescribe, revise and collect the rentals, rates and other charges for the services and facilities furnished thereby, authorizing the issuance of such revenue bonds and providing for their payment and the rights and remedies of the holders thereof; repealing an act entitled "An act authorizing the Regents of the University of California to issue and sell bonds to provide funds for the acquisition of real property and for the erection, equipping, and furnishing thereon, or upon other real property owned by the said Regents of the University of California, of dormitories or other housing facilities for the use of students or employees of the University of California, declaring the urgency thereof, and to provide that this act shall take effect immediately," approved March 18, 1946.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1089—An act to amend Section 16471 of the Government Code, relating to investment of surplus state funds, and creating the Surplus Money Investment Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1090—An act to amend Section 20105 of the Government Code, pertaining to the administration of the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Donnelly, Gordon, Jespersen, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1485—An act to amend Section 117 of the Labor Code, relating to offices and rooms for the Industrial Accident Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO PRINT PROPOSED AMENDMENTS

Senator Jespersen moved that the following proposed amendments to Senate Bill No. 208 be printed in the Journal, and gave notice that on the next legislative day he will move their adoption.

Motion carried.

PROPOSED AMENDMENTS TO SENATE BILL NO. 208

Amendment Offered by Senator Dilworth

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4915, and"; strike out line 2 of the said title; and in line 3, strike out "said code", and insert "and 4915 of, and to add Sections 4912.1 and 4953 to, the Education Code".

Amendments Offered by Senator Jespersen

Amendment No. 1

In line 1 of the title of the printed bill, after "4902," insert "4912,".

Amendment No. 2

On page 1, line 6, of said bill, after "commission.", insert "There shall be appointed on each local survey committee at least one representative of each school district in the area."

Amendment No. 3

On page 1 of said bill, between lines 20 and 21, insert

"Sec. 3. Section 4912 of said code is amended to read:

4912. The county superintendent of schools of the county in which the greater part of such area is located shall call a special election in the elementary school district or unified school district, or districts, affected for the purpose of adopting or rejecting the plans and recommendations of the local survey committee. *No election shall be called in any district unless a petition therefor signed by at least 15 percent of the electors of the district is filed with such county superintendent of schools. If in any district no such petition is filed within 60 days after the approval of the plans and recommendations by the State Commission, the district shall not be included in the unification or other reorganization.* Such election shall be held between July 1st and December 31st of the year in which the county superintendent of schools was given notice by the State Commission under Section 4911 except that if such notice is not received on or before November 1st, the election shall be held between July 1st and December 31st of the following year."

Amendment No. 4

On page 1, line 21, of said bill, strike out "Sec. 3.", and insert "Sec. 4."

Amendment No. 5

On page 2, line 7, of said bill, strike out "Sec. 4.", and insert "Sec. 5."

Amendment No. 6

On page 2, line 13, of said bill, strike out "Sec. 5." and insert "Sec. 6."

Amendment No. 7

On page 2, line 22, of said bill, strike out "Sec. 6.", and insert "Sec. 7."

Amendment No. 8

On page 2, line 29, of said bill, strike out "Sec. 7.", and insert "Sec. 8."

REQUEST FOR UNANIMOUS CONSENT

Senator Crittenden asked for, and was granted, unanimous consent to take up Senate Bill No. 2, at this time, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 2

Senate Bill No. 2—An act to add Section 66d to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of San Joaquin, and providing for the appointment of an additional judge and for his compensation.

Bill read second time.

Motion to Amend

Senator Crittenden moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "66d", and insert "66i".

Amendment No. 2

On page 1, line 1 of said bill, strike out "66d is added to the Court", and insert "66i is added to the Code".

Amendment No. 3

On page 1, line 3, of said bill, strike out "66d", and insert "66i".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 2654

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

Assembly Bill No. 2654—An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES**Committee on Revenue and Taxation**

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1122

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 327

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 1, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1121

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

QUINN, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 835

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Assembly Bill No. 2599

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

RICH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Assembly Bill No. 2273

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bill ordered to second reading.

Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 1045

Senate Bill No. 782

Senate Bill No. 340

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

McBRIDE, Chairman

Above reported bills ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered :

Senate Joint Resolution No. 16: By Senators Hatfield, Hulse, Crittenden, Mayo, Jespersen, McCormack, Parkman, Busch, Tenney, Watson, Gordon, Williams, Kraft, DeLap, Collier, Dilworth, Rich, Sutton, Salsman, Powers, Weybret, Desmond, Cunningham, Breed, Judah, Ward, and Swing—Relative to the ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States, relating to the terms of office of the President.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Rules has appointed Senator Sutton to serve as a member of the Committee on Social Welfare.

POWERS, Chairman

ADJOURNMENT

At 4.12 p.m., on motion of Senator Keating, the President declared the Senate adjourned until 1.30 p.m., Thursday, April 3, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

THIRTY-SEVENTH LEGISLATIVE DAY

EIGHTY-EIGHTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, April 3, 1947

The Senate met at 1.30 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names :

Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—35.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day :

Senator Dorsey, on motion of Senator Breed, due to illness.

Senator McBride, on motion of Senator Breed, due to legislative business.

Senator Brown, on motion of Senator Breed, due to legislative business.

Senator Jespersen, on motion of Senator DeLap, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Hulse and Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Charles E. Anderson, Cora Beth Anderson, and Roby Ray Anderson, of Ukiah.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. James D. Garibaldi of Los Angeles.

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. M. G. Hitchcock of Hanford.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. James G. Smyth, Mr. John Boland, Mr. Sylvain D. Leipsic, and Mr. John O'Toole Leipsic, of San Francisco.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Lowell Eddington and Mr. Ham Emerick, of Napa.

On request of Senators Parkman and Quinn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. C. V. Peterson, Lorraine Peterson, and Roger Peterson, of Burlingame.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 74

Senate Bill No. 826

Senate Bill No. 198

Senate Bill No. 353

Senate Bill No. 354

Senate Bill No. 1470

Senate Joint Resolution No. 15

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 2

Senate Bill No. 142

Senate Bill No. 348

Senate Bill No. 480

Senate Bill No. 696

Senate Bill No. 1226

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 2

And reports the same correctly engrossed.

POWERS, Chairman

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 343—An act to amend the heading of Division 4, to renumber Chapters 10 and 11 of Division 4 to be Chapters 13 and 14, respectively, to repeal Chapters 3 and 8 of Division 6, of the Agricultural Code, and to add Chapters 11 and 12 to Division 4 of said code, relating to milk and dairy products and the marketing thereof.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 684—An act to add Section 560.2 to the Agricultural Code, relating to cream dressing.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 687—An act to add Section 559.5 to the Agricultural Code, relating to fermented milk.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 688—An act to amend Section 469.5 of the Agricultural Code, relating to milk and cream.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 695—An act to amend Section 742.1 of the Agricultural Code, relating to the California Industry Advisory Board and the powers, duties and responsibilities thereof and of the Director of Agriculture in connection therewith.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 853—An act to amend Section 748.1 of the Agricultural Code, relating to fund balances.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 865—An act to amend Section 501 of the Agricultural Code, relating to milk inspection services.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 868—An act to amend Section 690 of the Agricultural Code, relating to the disposition of moneys derived under the provisions of the Milk and Milk Products Act of 1941.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 873—An act to amend Section 453.1 of the Agricultural Code, relating to imitation milk and milk products.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 874—An act to amend Section 681 of the Agricultural Code, relating to testing and basis of payment for dairy products.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 830—An act to amend Section 1043 of the Agricultural Code, relating to licenses of persons selling fertilizing materials.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "person", and insert "individual".

Amendment No. 2

On page 1, line 11, of said bill, strike out "persons", and insert "individuals".

Amendment No. 3

On page 2 of said bill, after line 33, insert

"No such license shall be required of a nonprofit cooperative agricultural marketing association by reason of such association's selling any of the substances defined in subdivisions (a), (b) and (c) of Section 1022 to its members."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 686—An act to add Section 553.3 to the Agricultural Code, relating to evaporated chocolate milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, after "553.3 to", insert ", and to amend Section 560 of,".

Amendment No. 2

In line 2 of the title of said bill, strike out "evaporated chocolate".

Amendment No. 3

On page 1, line 3, of said bill, after "evaporated", insert "-type".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 10, insert

"SEC. 2. Section 560 of said code is amended to read:

560. Modified milk is market milk, *evaporated-type milk or powdered milk* which has been altered in composition to conform to special nutritional requirements and primarily prepared and designed for infant feeding and which contains no fat or oil other than milk fat. [Modified milk may be sold only upon prescription of a regularly licensed physician.]"

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1108—An act to amend Section 737.6-2 of the Agricultural Code, relating to fluid milk testing.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "Market Enforcement", and insert "Milk Control".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 1131—An act to amend Section 22 of the Agricultural Code, relating to the powers of the Director of Agriculture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Section 22 of", and insert "add Section 211.5 to".

Amendment No. 2

In line 2 of the title of said bill, after "Agriculture", insert "with respect to coordination of livestock sanitary services, making an appropriation, declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 211.5 is added to the Agricultural Code, to read:

211.5. The director or his duly authorized representative shall meet periodically with the livestock sanitary officials or committees of other states, the duly authorized agricultural representatives of other states and of the United States, or any of them, for the purpose of coordinating livestock sanitary activities within this State and among the several states having common or similar problems in the field of livestock disease and the prevention, quarantine, eradication, or control thereof.

SEC. 2. There is hereby appropriated to the Department of Agriculture, out of any moneys in the State Treasury not otherwise appropriated, the sum of ten thousand dollars (\$10,000) to be used in carrying out the provisions of Section 211.5 of the Agricultural Code.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The discovery of foot-and-mouth disease in Mexico has imposed upon the border states mutual problems of inspection, sanitation, quarantine, and eradication, which can best be met through coordinating the activities of the several states in relation thereto. In order that California may participate in these coordinating activities with respect to the immediate problems resulting from the presence of a serious livestock disease in an adjoining country, it is necessary that the powers of the Director of Agriculture to engage in such activities should be made specific and that funds be made available for such purpose without delay."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 608—An act to add Chapter 4 to Division 3 of the Agricultural Code, providing for the registration of stallions and declaring a violation thereof to be a misdemeanor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 24, of the printed bill, after "with", insert "sterility".

Amendment No. 2

On page 1 of the printed bill, strike out line 26, and insert "blindness, cryptorchids, monorchids or ridgelings, infectious anemia or scrotal hernia."

Amendment No. 3

On page 2, line 4, of the printed bill, strike out "hemiplegia", and insert "paralysis".

Amendment No. 4

On page 2, line 5, of the printed bill, after "bone spavin," insert "parrot mouth or pronounced prognathia,".

Amendment No. 5

On page 2, line 8, of the printed bill, after "stringhalt.", strike out the period, and insert ", cataract or periodic ophthalmia (moon blindness)."

Amendment No. 6

On page 2, line 20, of the printed bill, after the period, insert "Not more than one certificate of soundness shall be issued for any stallion so registered or enrolled."

Amendment No. 7

On page 3, lines 21 and 22, of the printed bill, strike out the words, "between January 1st and April 1st" and insert in lieu thereof "before the first day of February".

Amendment No. 8

On page 3 of the printed bill, strike out lines 25 to 30, inclusive.

Amendment No. 9

On page 3, line 31, of the printed bill, strike out "450", and insert "449".

Amendment No. 10

On page 3, line 33, of the printed bill, strike out the period, and insert "a fee of \$5."

Amendment No. 11

On page 3, line 34, of the printed bill, strike out "450a", and insert "449a".

Amendment No. 12

On page 3, line 40, of the printed bill, strike out "450b", and insert "449b".

Amendment No. 13

On page 3, line 47, of the printed bill, strike out "450c", and insert "449c".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 1481—An act regulating the premises and the operations of plants for the storage of frozen food in individual lockers.
Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "regulating the premises and the operations of plants for"; and strike out line 2 of said title, and insert "to add Chapter 17 (comprising Sections 30000 to 30025, inclusive) to Division 21 of the Health and Safety Code, relating to the regulation of the premises and operations of plants for the preparation and storage of frozen foods, and the licensing of the personnel thereof."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert
"SECTION 1. Chapter 17 (comprising Sections 30000 to 30025, inclusive) is hereby added to Division 21 of the Health and Safety Code to read:

CHAPTER 17. FROZEN FOODS

30000. When used in this chapter, unless the context otherwise requires:

(a) "Food" means all articles used for food, drink, confectionery or condiment by man, whether simple, mixed or compound, and any substance used as a constituent in the manufacture thereof.

(b) "Locker" means the individual sections or compartments of a capacity of not to exceed 25 cubic feet in the locker room of a locker plant.

(c) "Locker plant" means a facility in which space in individual lockers is rented, leased or loaned to individuals, firms or corporations for the storage of food for their own use and which is artificially cooled for the purpose of preserving such food. The term includes branch locker plant, storage locker plant and service plant.

(d) "Branch locker plant" means any location or establishment in which space in individual lockers is rented, leased or loaned to individuals, firms or corporations for the storage of food for their own use after preparation for storage in a central or parent plant.

(e) "Storage locker plant" means a frozen food locker plant the operator of which does not prepare or package the foods of patrons.

(f) "Service plant" means a plant or facility in which patron's foods are prepared, packaged or frozen for storage, whether providing lockers or not.

(g) "Quick or sharp frozen" means the freezing of food in a room or compartment in which the temperature is zero Fahrenheit or lower.

(h) "Inspected meats" means meat which has been killed in a state or government inspected slaughterhouse.

(i) "Operator" means any person, firm or corporation operating or maintaining a locker plant.

(j) "Department" means the State Department of Public Health.

30001. No person hereafter shall engage within this State in the business of operating any locker plant without having applied for or obtained from the Department of Public Health a license for each such place of business. Applications for such license shall be made in writing to the Director of the Department of Public Health, on such forms and with such pertinent information as he may deem necessary. Such licenses shall be granted promptly as a matter of right unless conditions exist which are grounds

for denial of a license as hereinafter set forth. The application for such license shall be in writing on a form prescribed and furnished by the department, and shall set forth:

(a) The name and address of the applicant.
(b) The location of the plant for which the license is sought and the type of operation at such location.

(c) The size of the plant for which the license is sought and the number of lockers operated or to be operated there.

(d) The system of refrigeration used and the capacity of the refrigerating machinery.

(e) The number of employees at such plant and a statement that the health certificates hereunder required for such employees will be obtained.

The application shall be accompanied by the required license fee.

30002. Existing locker plants which do not now comply with this chapter may be licensed for one year from and after the effective date of this chapter, but such locker plants shall comply with this chapter within such period, except that under extenuating circumstances and conditions the director may extend the period.

30003. The annual license fee for a locker plant shall be fifteen dollars (\$15) for plants with 399 lockers or less; twenty dollars (\$20) for plants with 400 to 799 lockers; twenty-five dollars (\$25) with 800 to 1,199 lockers; and thirty dollars (\$30) with 1,200 or more lockers. Service plants having no lockers shall pay a license fee of twenty-five dollars (\$25). Such fees shall be paid into the Treasury of the State of California for the account of the Department of Public Health for the purpose of the enforcement of this chapter.

30004. Upon receipt of the application for a license accompanied by the required fee, the department shall promptly inspect the plant to be licensed, and if it finds that such plant, its equipment, facilities and the surrounding premises and its operations comply with this chapter and the rules and regulations of the department applicable thereto, the department shall issue such license. The persons designated by the department to make such inspection shall be persons having practical knowledge of the operation of locker plants and the storage of foods therein, and shall be thoroughly familiar with the provisions of the law applicable to locker plants and the applicable rules and regulations of the department. The department shall inspect all plants licensed under this chapter at least once each six months, and may make such additional inspection as the department deems necessary. The department and its representatives shall have access to locker plants at all reasonable times for the purpose of making such inspections.

30005. The license issued hereunder shall be in such form as the department shall prescribe but shall be under the seal of the department and shall set forth the name of the licensee, the location for which the license is issued, the type of operation, the period of the license and such other information as the department may determine. Licenses shall be for a term of one calendar year and shall be renewed annually upon like application and the payment of an appropriate fee as in the case of the original license. The original license or a certified copy thereof shall be conspicuously displayed by the licensee in locker plant.

30006. The floors, walls, and ceilings of locker plants shall be of such construction and finish that they can be conveniently maintained in a clean and sanitary condition.

(a) When the locker plant is engaged in the selling of meats for processing, freezing or storage in a locker plant the inspected and uninspected meats shall be kept separated in the freezing room. A wire mesh separation is sufficient. Nothing in this chapter shall prohibit the receiving of inspected and uninspected meats through a common entrance.

Meat intended for retail selling shall not be hung, cut or processed in a room used for uninspected meat, or with equipment which has not been thoroughly sterilized.

(b) All rooms must have the name of the room identified.

(c) Each locker room must be provided with an overflow storage space, which must be kept locked at all times. No packaged food of any kind, frozen or otherwise, shall be stored or exposed to the public in the locker room, except in the presence of an attendant. All unfrozen foods shall be frozen in a separate room or compartment, at temperatures hereinafter specified, before being put in lockers.

30007. All rooms of a locker plant shall at all times be maintained in a clean and sanitary condition. All equipment and utensils shall be cleaned when put into use and shall be thoroughly cleaned after each day's use and shall be so stored or protected as not to become contaminated. Lockers shall be thoroughly cleaned before they are leased or put into the possession of any patron. The premises of locker plants shall be maintained in a clean and sanitary condition. The food stored shall be protected from filth, flies, dust, dirt, insects, vermin and any other contamination and from any unclean or filthy practice in the handling thereof or caring therefor. No food shall be stored in such condition or in such a manner as to cause injury to or deterioration of articles of food in adjacent lockers.

No room or rooms used for the preparation, storage, display or sale of food or for the processing of food shall be used as a living room or sleeping room nor shall dogs, cats or other domestic animals be permitted in any such room.

30008. Locker plants shall have an ample water supply readily available and the water that comes in contact with any food product or the equipment shall be uncontaminated. Locker plants shall be provided with adequate toilets so located as to be readily accessible to employees and equipped with adequate washing fixtures or facilities or have such fixtures or facilities convenient thereto and shall be supplied with running water, single soap and single towel service. The doors of all toilet rooms shall be full length and self-closing and no toilet room shall open directly into any room in which foods are prepared, processed, chilled, frozen or stored. Toilet facilities and rooms shall be kept in a clean and sanitary condition. All processing and cutting rooms shall be provided with running hot and cold water at all times.

30010. The operator shall require all employees engaged in the handling of unpackaged foods in any locker plant to have a semiannual health examination by a physician and health certificate for each of such employees shall be kept on file by the operator at all times. No person suffering from any communicable disease, including any communicable skin disease, or with infected wounds, and no person who is a "carrier" of a communicable disease shall be employed in any capacity in a locker plant.

No person shall work or be employed in or about a locker plant during the time in which a communicable disease exists in the home in which he resides unless he has obtained a certificate from the state or local board of health stating that no danger of public contagion or infection will result from the employment of such person in such establishments. Every person employed by a locker plant and engaged in direct physical contact with food during its preparation, processing or storage, shall be clean in person, shaven, wear clean, washable outer garments and a suitable cap or other head covering, said garment to be used for that purpose only. Only persons specifically designated by the operator shall be permitted to touch food products with their hands and the persons so designated shall keep their hands scrupulously clean.

30011. All meat cutters working in a locker plant who do the custom processing of food shall be licensed by the department in accordance with such requirements as shall be formulated by the department.

The license fee shall cost one dollar (\$1) and shall be renewable annually.

Qualifications must include references as to their integrity.

30012. The refrigeration system for a locker plant shall be equipped with reliable controls for the automatic maintenance of uniform temperatures as required in the various refrigerated rooms and shall be of adequate capacity to provide under extreme conditions of outside temperature and under peak load conditions in the normal operations of the plant, the following temperatures in the several rooms, respectively:

(a) Pre-cool, chill and/or aging rooms—temperatures shall be commensurate with good commercial practice.

(b) Sharp freeze room or compartment—shall have sufficient refrigeration capacity to freeze products at ten (10) degrees below zero Fahrenheit or lower, or zero Fahrenheit or lower when forced air circulation is employed, with a tolerance of five (5) degrees Fahrenheit for either type of installation for a reasonable time after unfrozen food is put in for freezing.

(c) Locker room—temperature not to exceed five (5) degrees Fahrenheit, with customary commercial variation.

The foregoing temperatures shall not be construed as prohibiting such variations therefrom as may occur during the short periods of time incidental to operating conditions beyond the control of the operator.

30013. Thermometers in good order shall be provided in all rooms held under low temperature at locations therein which will reflect true storage temperatures of foods in such rooms.

30014. No food shall be placed in a locker for storage unless it has been sharp frozen. No foods shall be placed in a locker unless such foods have been inspected by the operator. No unwrapped meat or unwrapped fruits or vegetables shall be placed in any locker. Only materials suitable for the wrapping of meats that are to be frozen and stored, shall be used. Each wrapped portion shall be marked or stamped with the correct locker number and the date of wrapping. All fresh carcass meats on coming into the custody or possession of the operator shall be identified with a suitable tag or stamp and if not cleaned, shall be washed with cold water or otherwise suitably cleaned and shall then be placed in the chill room sufficiently long to lose body heat, and in no case less than 24 hours, unless previously chilled before removal to the cutting room. In applying marks directly to meat or other food products, the operator shall use only nontoxic ink or other harmless substances.

30015. (a) No fish shall be stored in any locker unless properly frozen and wrapped. All fish shall be so handled as to protect equipment and other stored foods from fish flavors and fish odors.

(b) Storage of fish and game by patrons shall comply with the federal and state fish and game laws.

30016. Every operator of a locker plant shall keep an accurate and correct record, setting forth:

(a) The name and address of each customer.

(b) The record of each transaction.

(c) The rental period for each locker rented, the charge therefor and the payments thereon.

These records may be available for examination by constituted authorities.

30017. In case the patron, at the time the products are delivered, shall so request, then the operator of any locker plant shall supply such patron delivering carcasses or parts of carcasses for cutting or processing or freezing, with an accurate and complete report showing the carcasses weight at the time of delivery, the quantities used for sausage, other meat products and wastage.

30018. No person shall be permitted access to another patron's locker and its contents without proper authorization. Patrons shall not be permitted to handle meats or foods, other than their own, which are stored in the aging room or are in the process of preparation for freezing for storage.

30019. Only food fit for human consumption, or clean, sanitary by-products therefrom, shall be stored in the chill room, aging room, freezing room or locker room of any locker plant.

30020. The operator owning or operating a locker plant shall have a lien upon all property therein for all charges due from the owner of such property. Such lien may be secured and enforced in the same manner as warehousemen's liens are secured and enforced.

30021. Operators of locker plants operating solely as such shall not be construed to be warehousemen or public utilities, nor shall receipts or other instruments issued by such persons in the ordinary conduct of their locker business be construed to be warehouse receipts or subject to the laws applicable thereto.

30022. The department, after notice and hearing, may revoke the license issued for any locker plant for failure to comply with the provisions of this chapter. Before revoking any license the department shall give the licensee notice of 20 days, by registered mail, and an opportunity to be heard with respect thereto at a time and place specified in such notice.

In the event any license is revoked, the department shall permit the continued operation of the plant involved for a period of six months, and if the operator can establish within such six-month period his compliance with this chapter, his license shall be reinstated.

In the event the department suspends or revokes any license, the licensee may petition for a judicial review of the action in accordance with law.

30023. Any person violating the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars (\$100), and if such person is the holder of a license issued hereunder, such license may be revoked or suspended.

30024. The liability of the owner or operator of lockers for loss of goods in lockers or in operator's care shall be limited to gross negligence of the operator or his employees.

30025. Upon the signed petition of at least 25 operators of locker plants licensed under this chapter, the director shall, within 10 days after receipt of said petition, cause to be held at such places and at such times as he may provide a public hearing for the purpose of gathering facts and data for the revision, correction or amendment of any rule or regulation issued pertaining to this chapter.

SEC. 2. If any clause, sentence, paragraph, section or part of this act shall for any reason be adjudged or decreed to be invalid by any court of competent jurisdiction, such judgment or decree shall not affect, impair, nor invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof, directly involved in the controversy in which said judgment or decree shall have been rendered."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 28, inclusive; and strike out all of pages 2, 3, 4, 5, 6, 7, 8, 9, and 10 of said bill.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 322—An act to amend Section 301 of the Agricultural Code, relating to meat inspection.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 301 of", and insert "add Sections 320 and 320.5 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "meat inspection", and insert "rabbit slaughtering".

Amendment No. 3

On page 1, line 1, of said bill, strike out "301 of the Agricultural Code is", and insert "320 is added to the Agricultural Code, to read:".

Amendment No. 4

On page 1 of said bill, strike out all of lines 2 to 31, inclusive, and insert "320. It is unlawful to operate and maintain any place or structure for the commercial slaughter of rabbits which is insanitary. Such a place or structure is insanitary in the following cases:

(a) If any person connected with the slaughter of rabbits or the handling of rabbit carcasses is afflicted with any communicable disease or is in a condition to disseminate the germs of any communicable disease.

(b) If the place or structure is not properly screened to exclude dust and flies or other insects.

(c) If the place or structure is not so located or arranged to exclude vermin, fowls or other domestic animals and pets.

(d) If the place or structure is also used by any person for sleeping or living quarters.

(e) If the person or wearing apparel of persons engaged in slaughtering rabbits or handling the carcasses thereof are not kept clean and free from dirt by washing with reasonable frequency.

(f) If the appliances and equipment used in slaughtering rabbits are not kept clean and protected from dust and flies between periods of use.

(g) If an adequate supply of clean water is not available.

(h) If the place or structure is soiled with or has accumulations of manure, offal or other filth.

The provisions of this section shall not apply to places or structures whenever the number of rabbits slaughtered there is less than 25,000 annually, nor in instances where such places or structures are subject to inspection by the food or health inspection service of a municipality or a county.

SEC. 2. Section 320.5 is added to the Agricultural Code, to read:

320.5. It shall be unlawful to immerse or soak the carcasses of slaughtered rabbits in water for a period longer than necessary to eliminate the natural animal heat therein and in no event for a period longer than two and one-half (2½) hours."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 39—An act to amend Section 50 of the Fish and Game Code, relating to game management area.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 16 of the printed bill, as amended in the Senate on March 26, 1947, strike out "300", and insert "320".

Amendment No. 2

On page 2, line 3, of said bill, strike out "the licensee shall determine to be", and insert "shall be approved by the commission at the time of the issuance of such license as being".

Amendment No. 3

On page 2 of said bill, between lines 4 and 5, insert "The commission shall not issue any license to or for any area as a noncommercial management area, adjacent to or within one mile of any existing or other noncommercial management area."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 791—An act to amend Section 525 of the Fish and Game Code, relating to obstructions.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 327—An act to amend Section 17953 of the Revenue and Taxation Code, relating to credits against net income of estates and trusts under the Personal Income Tax Law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 17953", and insert "Sections 17953 and 18405".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, following line 6, add

"SEC. 2. Section 18405 of the Revenue and Taxation Code is hereby amended to read:

18405. Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make a return for any of the following taxpayers for whom he acts, stating specifically the items of gross income of the taxpayer and the deductions and credits allowed under this part:

(a) Every individual having a net income for the taxable year of one thousand dollars (\$1,000) or over, if single, or if married and not living with husband or wife.

(b) Every individual having a net income for the taxable year of two thousand five hundred dollars (\$2,500) or over, if married and living with husband or wife.

(c) Every individual having a gross income for the taxable year of five thousand dollars (\$5,000) or over, regardless of the amount of his net income.

(d) Every estate the net income of which for the taxable year is one thousand dollars (\$1,000) or over.

(e) Every trust the net income of which for the taxable year is [one hundred dollars (\$100)] *five hundred dollars (\$500)* or over.

(f) Every estate of trust the gross income of which for the taxable year is five thousand dollars (\$5,000) or over, regardless of the amount of the net income.

(g) Every decedent, for the year in which death occurred, and for prior years, if returns for such years should have been filed but have not been filed by the decedent, under such rules and regulations as the commissioner may prescribe."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

Senate Bill No. 835—An act to add Sections 203, 204, and 205 to the Education Code, all relating to the California State Educational Agency for Surplus Property, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 205", and insert "205 and 206".

Amendment No. 2

On page 1, line 7, of said bill, strike out the first comma.

Amendment No. 3

On page 1, line 9, of said bill, after the first comma, insert "purchase,".

Amendment No. 4

On page 1, line 9, of said bill, after the period, insert "The agency is hereby exempted from the provisions of Article 2, Chapter 4, Part 3, Division 3, Title 2 of the Government Code."

Amendment No. 5

On page 1, line 15, of said bill, strike out "cost of accepting, receiving, purchasing," and insert "average costs of procuring,".

Amendment No. 6

On page 1, line 19, of said bill, strike out "Fund.", and insert "Revolving Fund. Any such moneys found by the agency to be in excess of the costs incurred in procuring, storing, handling and disposing of such property may, upon approval of the Department of Finance, be refunded to the parties from whom such moneys were received. The agency may reduce or eliminate charges on property found not to be usable for the purpose for which procured."

Amendment No. 7

On page 1 of said bill, strike out lines 21 to 26, inclusive, and insert "205. There is hereby created in the State Treasury the Surplus Educational Property Revolving Fund. Accumulated reserves resulting from handling and service charges shall be transferred from the appropriation made by Chapter 95 of the Statutes of the First Extraordinary Session of the Fifty-sixth Legislature to said fund, upon the approval of the Director of Finance. On and after July 1, 1947, all costs of the State Educational Agency for Surplus Property, including but not limited to costs of procuring, transporting, shipping, and storing surplus property of the Federal Government and its distribution to educational agencies, and costs of general assistance and real property procurement, shall be paid from this fund. The Surplus Educational Property Revolving Fund shall be reimbursed from the support appropriation for the agency for costs of general assistance and real property procurement in accordance with Sections 11251 and 11252 of the Government Code.

SEC. 4. Section 206 is added to said code to read:

206. The California State Educational Agency for Surplus Property may send representatives out of this State for the purpose of inspecting property or conferring with federal and other state officials, provided such traveling and expenses have been approved by the Governor and by the Department of Finance. Such out-of-state travel shall not come within the limitation imposed in Section 185 of the Education Code."

Amendment No. 8

On page 2, line 1, of said bill, strike out "4", and insert "5".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 1045—An act to amend Section 21 of the Bank Act, relating to surplus of banks, Sections 23, 60, and 82 of the Bank Act, relating to the minimum capital requirements for new banks, and Section 9, relating to the establishment of branch banks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 3 of the printed bill, strike out lines 25, 26, and 27.

Amendment No. 2

On page 4 of the printed bill, strike out lines 44, 45, and 46.

Amendment No. 3

On page 6 of the printed bill, strike out lines 8, 9, and 10.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 782—An act to repeal Sections 24a, 120, 121, 122, 123, 123.1, 140, 141, and 142 of, to amend Section 124 of, and to add Sections 120, 120.1, 120.2, 120.3, 120.4, 120.5, 120.6, 120.7, 121, 121.1,

121.2, 121.3, 121.4, 121.5, 122, 122.1, 122.2, 122.3, 122.4, 122.5, 122.6, 122.7, 122.8, 123, 123.1, and 123.2, to the Bank Act, relating to the qualifications, appointment, term, compensation and duties of the Superintendent of Banks, the duties, employees, records, and expenses of the State Banking Department, and the collection and disposition of the State Banking Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "120.7".

Amendment No. 2

On page 1 of the printed bill, strike out lines 19 and 20, and insert "He shall hold office at the pleasure of the Governor."

Amendment No. 3

On page 2 of the printed bill, strike out all of lines 1, 2, and 3.

Amendment No. 4

On page 2 of the printed bill, strike out all of lines 13 to 18, inclusive.

Amendment No. 5

On page 2, line 19, of the printed bill, strike out "120.6", and insert "120.5".

Amendment No. 6

On page 2, line 20, of the printed bill, strike out "120.6", and insert "120.5".

Amendment No. 7

On page 2, line 26, of the printed bill, strike out "120.7", and insert "120.6".

Amendment No. 8

On page 2, line 27, of the printed bill, strike out "120.7", and insert "120.6".

Amendment No. 9

On page 2, line 46, of the printed bill, strike out "assistance", and insert "assistants".

Amendment No. 10

On page 4, line 3, of the printed bill, strike out "Superintendent of Banks", and insert "superintendent".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 340—An act to amend the Building and Loan Association Act by amending Section 1.01 thereof, relating to definitions, Section 2.06 thereof, relating to merger, consolidation and transfer, Section 3.01 thereof, relating to issuance of shares and stock, Section 3.04 thereof, relating to retirement of free shares, Section 3.07 thereof, relating to dividends on funds invested in shares less than six months, Section 4.01 thereof, relating to guarantee stock, Section 5.01 thereof, relating to investment certificates, Section 5.06 thereof, relating to redemption of investment certificates, Sections 6.01, 6.02, and 6.03 thereof, relating to withdrawals, Section 6.04 thereof, relating to reports while on notice, Section 6.05 thereof, relating to delay in paying withdrawal claims, Section 7.09 thereof, relating to liability of stockholders, Section 8.01 thereof, relating to voting rights, Sections 9.07 and 9.10 thereof, relating to loans, Section 13.17 thereof, relating to assessments for salaries and

expenses of the Building and Loan Commissioner and his staff, and Section 15.16 thereof, relating to supervision and control of borrowers' mutual building and loan associations, and repealing Section 5.07 thereof, relating to modification of investment certificates; all relating to building and loan associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

In lines 6 and 7 of the title of the printed bill, strike out "Section 3.07 thereof, relating to dividends on funds invested in shares less than six months,".

Amendment No. 2

On page 4, line 35, of said bill, after the period, insert "If the date fixed for such retirement is not a date on which dividends are to be paid or credited, the amount of profits or dividends applicable thereto from the last such date shall be prorated and shall be based on the rate of return for the current period if such rate shall have been determined prior to the date fixed for such retirement, and if not, shall be based on the rate of return determined for the latest previous period for which such rate shall have been determined."

Amendment No. 3

On page 5 of said bill, strike out lines 4 to 27, inclusive.

Amendment No. 4

On page 5, line 27, of said bill, strike out "6", and insert "5".

Amendment No. 5

On page 6, line 14, of said bill, strike out "7", and insert "6".

Amendment No. 6

On page 8, line 24, of said bill, strike out "8", and insert "7".

Amendment No. 7

On page 8, line 46, of said bill, after the period, insert "If the date fixed for redemption is not a date on which interest is to be paid or credited, interest accrued from the last such date shall be prorated and shall be based on the rate of return for the current period if such rate shall have been determined prior to the date fixed for such retirement, and if not, shall be based on the rate of return determined for the latest previous period for which such rate shall have been determined."

Amendment No. 8

On page 9, line 16, of said bill, strike out "9", and insert "8".

Amendment No. 9

On page 9, line 17, of said bill, strike out "10", and insert "9".

Amendment No. 10

On page 12, line 24, of said bill, strike out "11", and insert "10".

Amendment No. 11

On page 15, line 28, of said bill, strike out "12", and insert "11".

Amendment No. 12

On page 16, line 8, of said bill, strike out "13", and insert "12".

Amendment No. 13

On page 16, line 26, of said bill, strike out "14", and insert "13".

Amendment No. 14

On page 16, line 44, of said bill, strike out "15", and insert "14".

Amendment No. 15

On page 17, line 19, of said bill, strike out "16", and insert "15".

Amendment No. 16

On page 17, line 44, of said bill, strike out "17", and insert "16".

Amendment No. 17

On page 18, line 21, of said bill, strike out "18", and insert "17".

Amendment No. 18

On page 19, line 10, of said bill, strike out "19", and insert "18".

Amendment No. 19

On page 20, line 1, of said bill, strike out "20", and insert "19".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1122—An act to amend Section 3793.5 and to repeal Section 3807.8 of the Revenue and Taxation Code, relating to notices on purchases of tax-deeded property by taxing agencies.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1121—An act to amend Section 14797 of the Revenue and Taxation Code, relating to maximum commissions that may be retained by county treasurers out of inheritance taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on March 21, 1947, strike out "five thousand dollars (\$5,000)", and insert "seven thousand five hundred dollars (\$7,500)".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 2599—An act making an appropriation in augmentation of Item 26 of the Budget Act of 1945, for support of the Governor and the Governor's Office, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2273—An act to provide for a comprehensive survey of the System of Publicly Supported Higher Education in California, including the junior colleges, the state colleges and the University of California and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on March 20, 1947, strike out "One Member", and insert "Two Members".

Amendment No. 2

On page 1, line 7, of said bill, strike out "one Member", and insert "two Members".

Amendment No. 3

On page 2, line 18, of said bill, after "Session", insert "within five days after the convening thereof".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 208—An act to amend Sections 4901, 4902, 4913, 4914, 4915, and 4953 of the Education Code, and to add Section 4912.1 to said code, all relating to the reorganization of school districts.

Motion to Re-Refer Senate Bill No. 208

Senator Dilworth moved that Senate Bill No. 208 be re-referred to Committee on Education.

Motion carried.

Senate Bill No. 826—An act amending Sections 6489 and 6564 of the Health and Safety Code, relating to sanitary districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Keating, Kraft, Mayo, Parkman, Powers, Quinn, Salsman, Swing, Ward, Watson, and Williams—25.
NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 1470—An act to add Chapter 11, comprising Sections 28600 to 28665, inclusive, to Division 21 of the Health and Safety Code, relating to restaurants as herein defined.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Keating, Kraft, Mayo, Powers, Quinn, Salsman, Swing, Watson, Weybret, and Williams—24.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 2—An act to add Section 66i to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of San Joaquin, and providing for the appointment of an additional judge and for his compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Slater, Sutton, Swing, Watson, Weybret, and Williams—28.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 15—Relative to memorializing Congress to enact H.R. 881 and H.R. 1199, granting tax exemptions to those held prisoners by the Japanese.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 297—An act relating to the marketing of farm products and to provide for the regulation of the unloading and handling thereof when delivered to markets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 344—An act to repeal Chapters 1, 2, 3, 4, 5, and 6 and to renumber Chapters 10 and 11 to be Chapters 13 and 14, respectively, of, and to add Chapters 1 to 10, inclusive, to, Division 4 of the Agricultural Code, relating to milk and milk products and the production, handling, sale, distribution, and processing thereof and of products resembling or imitating them.

Motion to Refer Bill to Inactive File

Senator Hatfield moved that Senate Bill No. 344 be placed on the inactive file.

Motion carried.

Senate Bill No. 480—An act to amend Section 602 of the Penal Code, and Sections 4102 and 4127 of the Public Resources Code, and to add Section 4126.5 to the Public Resources Code, relating to establishing, regulating, and protecting fire hazard areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Swing, Tenney, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 348—An act to add Division 15, comprising Sections 20700 to 20808, inclusive, and to add Section 40009 and 40010 to Division 30 of the Health and Safety Code to consolidate and revise the

law relating to the regulation of the sale of poisons, and to repeal acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 696—An act to add Section 10251.5 to the Health and Safety Code, relating to delayed birth registration of adopted persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 198—An act to amend Sections 842 and 1538.5 of the Probate Code, relating to leases by executors or administrators, or guardians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 74—An act to amend Section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class and the number of judges thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 142—An act to amend Section 10 of the Municipal Court Act of 1925, relating to the constitution of said court and the judges, clerks, marshals and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1226—An act to amend Section 21300 of the Government Code, relating to the State Employees' Retirement System in respect to the disability retirement pension payable to persons gainfully employed.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hulse, Judah, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 542—An act to amend Section 4004.5 of the Political Code and Section 23010 of the Government Code, relating to loans by counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 170—An act to add Section 13.1 to the County Waterworks District Act, relating to county waterworks districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Parkman:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 73700 of the Political Code, relating to the salaries of judges of the superior court.

Respectfully submitted.

SENATOR PARKMAN

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 3, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Governmental Efficiency.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Slater:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 4041.29 and 4088 of the Political Code and to amend Section 29000 of, and to add Sections 25825 and 29901.5 to, the Government Code, relating to counties and contributions thereby for public purposes.

Respectfully submitted.

SENATOR SLATER

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 3, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Local Government.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 1550: By Senator Parkman—An act to amend Section 73700 of the Political Code, relating to the salaries of judges of the superior court.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1551: By Senator Slater—An act to amend Sections 4041.29 and 4088 of the Political Code and to amend Section 29900 of, and to add Sections 25825 and 29901.5 to, the Government Code, relating to counties and contributions thereby for public purposes.

Referred to Committee on Local Government.

REPORTS OF STANDING COMMITTEES

Committee on Finance

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Finance submits the following resolution:

Resolution of Senate Finance Committee

WHEREAS, The Legislative Auditor, on page 147 of his analysis of the Budget and the Budget Bill for the Fiscal Year July 1, 1947, to June 30, 1948, with reference to Item 31 of Senate Bill 666, the Budget Bill, has made the following statement:

"The present charge of \$2.50 per year for each member of local government systems whose records are maintained by the State Employees' Retirement

System under contract must be increased next April to offset the cost of an increased staff and salary rates required to maintain these records. It is anticipated that the revenues for the 1947-1948 Fiscal Year received under such contracts will not meet the cost of the services performed. It is estimated that under the proposed budget these costs will average \$3.11 per member. The additional amounts thus required must be recovered through an increase in charges for the next year. To accomplish this such charges must be slightly in excess of the actual costs for the ensuing year. The present costs average approximately \$2.70 per member under outside contracts. We recommend the charges be set at \$3.50 for each member, and that no allowance be made for additional staff unless at least the actual costs for carrying the contracting systems are fully paid by them.”;

therefore be it

Resolved by the Senate Finance Committee, That the Director of Finance undertake an immediate survey to ascertain if the contracts, whereby the State Employees' Retirement System maintains retirement systems for local governments, provide an adequate charge to reimburse the State for all services performed by the State for such local governments, and, if it is found that such charges are not adequate, that the Board of Administration of the State Employees' Retirement System revise the rates to provide an adequate charge whenever such revision in rates becomes possible under the provisions of existing or future contracts; and be it further

Resolved, That a copy of this resolution be sent by the Secretary of the Senate Finance Committee to the Director of Finance and the Board of Administration of the State Employees' Retirement System, and that a copy be printed in the Senate Journal.

ADOPTED this second day of April, 1947.

RICH, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

MOTION TO RECONSIDER

Senate Bill No. 1338—An act to amend Sections 20013 and 20038 of the Government Code, relating to classes of membership and to benefits under the Retirement Law.

Motion to Reconsider Senate Bill No. 1338

Pursuant to his motion previously made, Senator Keating moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 1338 was passed.

The roll was called, and Senate Bill No. 1338 reconsidered by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Weybret, and Williams—27.

NOES—None.

Motion to Re-refer Senate Bill No. 1338

Senator Keating moved that Senate Bill No. 1338 be re-referred to Committee on Governmental Efficiency.

Motion carried.

MOTION TO RECONSIDER

Senate Bill No. 67—An act to add Article 3 to Chapter 2, Division 1, of the Education Code, relating to county superintendents of schools.

Motion to Reconsider Waived

Senator DeLap waived his motion to reconsider the vote whereby Senate Bill No. 67 was passed.

Senate Bill No. 67 ordered transmitted to the Assembly.

Senator Crittenden Presiding

At 3.05 p.m., Senator Bradford S. Crittenden of the Twentieth District, presiding.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 718—An act to add Section 3088.1 to the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read third time, and presented by Senator Dillinger.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 719—An act to add Section 3474.1 to the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Bill read third time, and presented by Senator Dillinger.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Keating, Kraft, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 720—An act to add Section 3084.1 to the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read third time, and presented by Senator Dillinger.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 721—An act to amend Section 3051 of, and to add Section 3052 to, the Welfare and Institutions Code, relating to the prevention and cure of blindness, and to the powers and duties of the Department of Social Welfare in connection therewith.

Bill read third time, and presented by Senator Dillinger.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 722—An act to amend Section 3083 of the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read third time, and presented by Senator Dillinger.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Deuel, Dillinger, Donnelly, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, and Watson—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 723—An act to amend Section 3471 of the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Bill read third time, and presented by Senator Dillinger.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 725—An act to add Sections 3078.3 and 3475 to the Welfare and Institutions Code, relating to restoration of aid to the blind after discontinuance thereof.

Bill read third time, and presented by Senator Dillinger.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Quinn, Rich, Salsman, Slater, Tenney, Ward, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 44—An act to add Section 66e to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Santa Clara, and providing for the appointment of an additional judge and for his compensation.

Bill read third time, and presented by Senator Salsman.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, and Williams—24.

NOES—None.

Motion to Reconsider

Senator Salsman moved to reconsider the vote whereby Assembly Bill No. 44 was refused passage.

The roll was called, and Assembly Bill No. 44 reconsidered by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Further Consideration of Assembly Bill No. 44

Assembly Bill No. 44—An act to add Section 66e to the Code of Civil Procedure, relating to the number of judges of the Superior Court

in the County of Santa Clara, and providing for the appointment of an additional judge, and his compensation.

Bill read third time, and presented by Senator Salsman.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 536—An act to add Section 66d to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Alameda, and providing for the appointment of additional judges and for their compensation.

Bill read third time, and presented by Senator Breed.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried. Time, 3.25 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 613—An act to amend Section 12922 of the Insurance Code, relating to printing for the Department of Insurance.

Bill read third time, and presented by Senator Rich.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Ward, Watson, and Williams—26.

NOES—Senator Weybret—1.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 3.35 p.m., on motion of Senator Breed, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Bill No. 536 passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1167

Senator Judah moved that Senate Bill No. 1167 be withdrawn from Committee on Education, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1167—An act to add Chapter 8 to Division 10 of the Education Code, establishing 24-hour schools to be known as California Academies for Dependent and Neglected Children who require special care and supervision, and providing for the government and administration thereof.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 27, of the printed bill, as amended in the Senate on March 21, 1947, strike out "probation", and insert "probate".

Amendment No. 2

On page 4, line 29, of said bill, strike out "consider the", and insert "cause a".

Amendment No. 3

On page 4, line 34, of said bill, strike out "shall be directed", and insert "so to be appointed, or the guardian theretofore appointed, shall be directed by the probate court so appointing".

Amendment No. 4

On page 6, line 7, of said bill, strike out "board", and insert "Director".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1116

Senator Weybret moved that Senate Bill No. 1116 be withdrawn from Committee on Transportation, and referred to Committee on Natural Resources.

Motion carried.

Secretary J. A. Beek at the Desk

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

Senate Joint Resolution No. 17: By Senators Mayo, Dillinger, Collier, Carter, and Powers—Relative to the development of deposits of mineral ores in the United States.

Referred to Committee on Natural Resources.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 107

Senate Bill No. 108

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 12; committee vote: Ayes 10; absent 2.

KEATING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 305

Senate Bill No. 450

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 10; absent 2.

KEATING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 102

Senate Bill No. 103

Senate Bill No. 105

Senate Bill No. 106

Senate Bill No. 220

Assembly Bill No. 288

Assembly Bill No. 1091

Assembly Bill No. 1668

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 10; absent 2.

KEATING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 101

Senate Bill No. 104

Has had the same under consideration, and reports the same back with amendments and with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 10; absent 2.

KEATING, Chairman

Above reported bills ordered to second reading.

Committee on Labor

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 580

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 5; noes 2.

JUDAH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 1205

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended.

Committee membership 7; committee vote: Ayes 7.

JUDAH, Chairman

Above reported bill ordered to second reading.

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 528

Senate Bill No. 1478

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 9.

WARD, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 987

Senate Bill No. 988

Assembly Bill No. 100

Assembly Bill No. 130

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

WARD, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 2, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Senate Bill No. 195

Senate Bill No. 370

Senate Bill No. 372

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

WARD, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 14

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1402

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 755

Assembly Bill No. 781

Assembly Bill No. 1061

Assembly Bill No. 1183

Assembly Bill No. 1184

Assembly Bill No. 1306

Assembly Bill No. 1307

Assembly Bill No. 1308

Assembly Bill No. 1309

Assembly Bill No. 1672

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 755—An act to amend Section 4243 of the Political Code, and Section 28114 of the Government Code, relating to compensation for public services in counties of the fourteenth class.

Referred to Committee on Local Government.

Assembly Bill No. 781—An act to amend Sections 14.2, 15, 16, 16.1, 16.2, and 19.6 of the Fish and Game Code, relating to the general regulatory powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Assembly Bill No. 1061—An act to add Section 6308.1 to the Education Code, relating to intrabudget transfers in school district budgets.

Referred to Committee on Education.

Assembly Bill No. 1183—An act to amend Section 13115 of the Health and Safety Code, relating to fireproofing of tents and awnings used to temporarily house public gatherings.

Referred to Committee on Public Health and Safety.

Assembly Bill No. 1184—An act to amend Section 19810 of the Health and Safety Code, relating to inflammable articles.

Referred to Committee on Public Health and Safety.

Assembly Bill No. 1306—An act to amend Section 820 of the Agricultural Code, relating to the packing of tomatoes.

Referred to Committee on Agriculture.

Assembly Bill No. 1307—An act to amend Section 787.5 of the Agricultural Code, relating to markings on containers of fruits, nuts and vegetables.

Referred to Committee on Agriculture.

Assembly Bill No. 1308—An act to amend Section 784.6 of the Agricultural Code, relating to fancy packs of fruits.

Referred to Committee on Agriculture.

Assembly Bill No. 1309—An act to amend Section 771 of the Agricultural Code, relating to certification of grapes for by-products.

Referred to Committee on Agriculture.

Assembly Bill No. 1672—An act to amend Sections 8007 and 8008 of the Education Code, relating to the maintenance of schools by school districts.

Referred to Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 26—Relative to migratory wild fowl.

Resolution read, and presented by Senator Hatfield.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Judah, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—26.

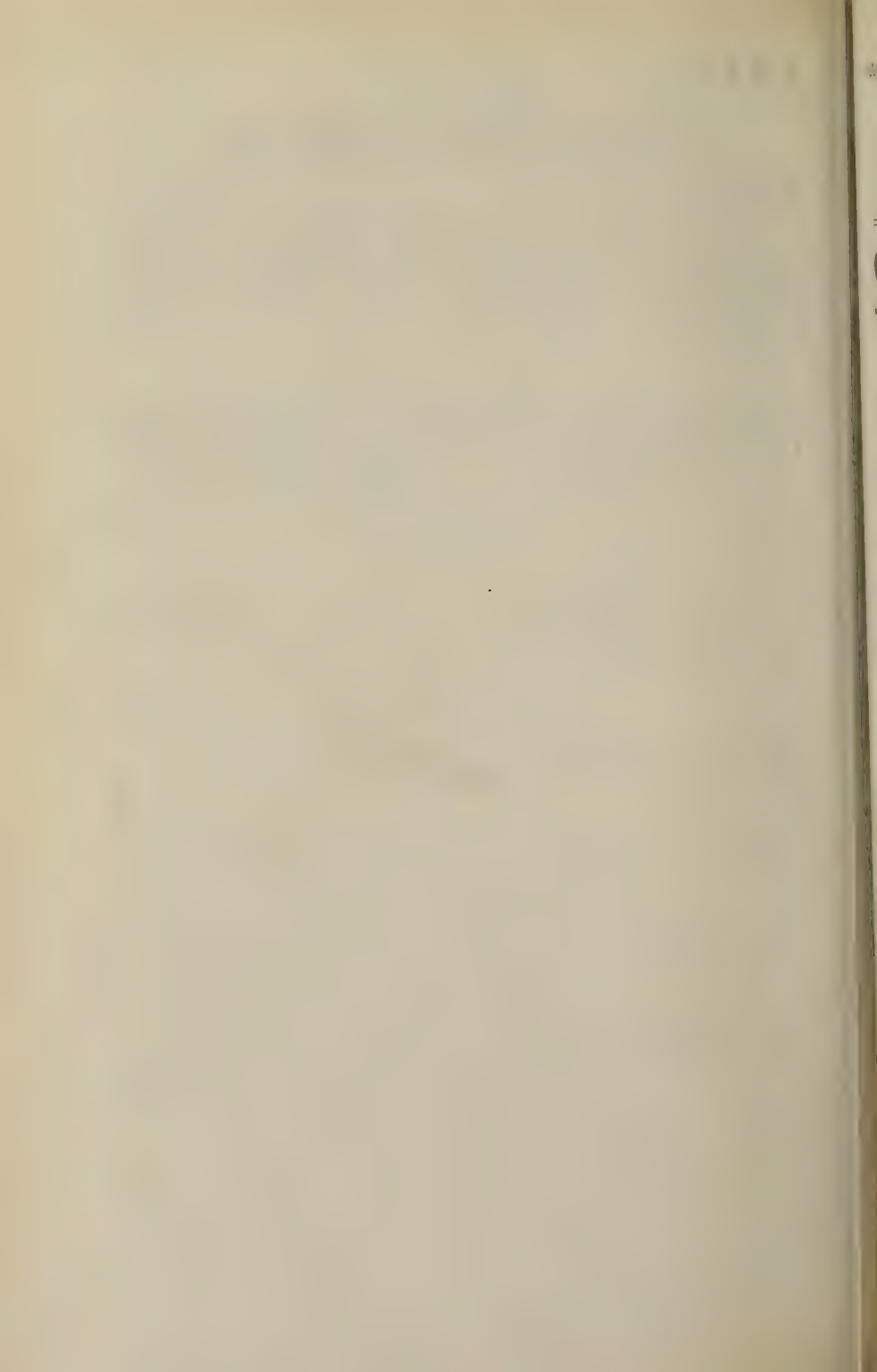
NOES—None.

Resolution ordered transmitted to the Assembly.

ADJOURNMENT

At 3.55 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Monday, April 7, 1947.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

THIRTY-EIGHTH LEGISLATIVE DAY

NINETY-SECOND CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, April 7, 1947

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Hulse, on motion of Senator Powers, due to illness.

Senator DeLaP, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Clinton Hutchins, Nancy Hutchins, and Carol Hutchins, of Camarillo, and Mr. Art Ellis, Emile Van Buren, and Glen Moore, of Port Hueneme.

On request of Senators Desmond and O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Barbara McLeod, and Miss Majorie McLeod, of San Francisco, and Mrs. Anthony Kennedy, of Sacramento.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. William Cotton, Mr. and Mrs. Sam Dunaway, Mr. and Mrs. E. H. Johnson, Mrs. Georgett McCormick, and Mrs. Ruth Bence, of San Diego.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. W. Finlaw Geary and Mr. James Brucker, of Santa Rosa.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. James Tarantino and Mr. Sol Stone, of Hollywood.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Sheldon Rice and Miss Marybeth Lamb, of Reno, Nevada.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Clifton Slonaker of Palo Alto.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 149

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bill was read the first time:

Assembly Bill No. 149—An act to add Section 425.1 to the Vehicle Code, relating to liens upon vehicles.

Referred to Committee on Transportation.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 6
Assembly Bill No. 424
Assembly Bill No. 428
Assembly Bill No. 527
Assembly Bill No. 594
Assembly Bill No. 597
Assembly Bill No. 598
Assembly Bill No. 599
Assembly Bill No. 615
Assembly Bill No. 730
Assembly Bill No. 774
Assembly Bill No. 779
Assembly Bill No. 793
Assembly Bill No. 895
Assembly Bill No. 920

Assembly Bill No. 943
Assembly Bill No. 1117
Assembly Bill No. 1118
Assembly Bill No. 1119
Assembly Bill No. 1123
Assembly Bill No. 1721
Assembly Bill No. 1722
Assembly Bill No. 1723
Assembly Bill No. 1724
Assembly Bill No. 1725
Assembly Bill No. 1726
Assembly Bill No. 1889
Assembly Bill No. 2323
Assembly Bill No. 2327
Assembly Bill No. 2570

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 6—An act to add Section 5662 to the Elections Code, relating to the rights of the occupant of a house which is situated on a precinct line.

Referred to Committee on Elections.

Assembly Bill No. 424—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to the eligibility of institution inmates for aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 428—An act to amend Section 2183.9 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 527—An act to add Section 18009 to the Education Code, relating to sanitary facilities for pupils.

Referred to Committee on Education.

Assembly Bill No. 594—An act to amend Section 18102 of the Government Code, relating to use of accumulated vacation by state employees.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 597—An act to amend Section 19501 of the Government Code, relating to disciplinary proceedings in the state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 598—An act to amend Section 19538 of the Government Code, relating to payment of salary upon recertification to a position in the state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 599—An act to amend Section 19141 of the Government Code, relating to reinstatement of employees in the state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 615—An act to amend Section 740 of the Fish and Game Code, relating to grunion.

Referred to Committee on Fish and Game.

Assembly Bill No. 730—An act to amend Section 797 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 774—An act to amend Section 1158 of the Fish and Game Code, relating to closing of areas to hunting.

Referred to Committee on Fish and Game.

Assembly Bill No. 779—An act to repeal Section 560 of the Fish and Game Code, relating to definitions of fish and kelp.

Referred to Committee on Fish and Game.

Assembly Bill No. 793—An act to amend Section 18002 of the Government Code, relating to deductions from salaries of state employees.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 895—An act to repeal Sections 212 and 213 of the Military and Veterans Code, relating to the inactive National Guard and honorary members in the National Guard and to amend Sections 16, 127, 142, 173, 183, 210, 224, 228, 256, 365, 394, 398, 417, 439, 470, and 644 of, and to add Section 644.1 to, the Military and Veterans Code, relating to the administration of military oaths, assignment of military command, the employment of the military forces in the performance of necessary military duties, the publications of military material, the issuance of military property, the inactive National Guard, the priority of rank of military officers, the retirement of military officers and enlisted men, the temporary direction of the military forces by civil officers, discrimination against military personnel, the creation of an offense for trespass upon military grounds, armories or military places, the transportation of military personnel and material, county aid for the National Guard, the delivery of military personnel to civil authorities and the issuance of service medals.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 920—An act to amend Section 6854 of the Business and Professions Code, relating to the definition of "collection agency."

Referred to Committee on Business and Professions.

Assembly Bill No. 943—An act to add Section 403 to the Agricultural Code, relating to lawful fences.

Referred to Committee on Agriculture.

Assembly Bill No. 1117—An act to amend Sections 2617, 2618, and 2621 of the Revenue and Taxation Code, relating to penalties for nonpayment of real estate taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1118—An act to add Section 162 to the Revenue and Taxation Code, relating to charging of fees for certified copies of redemption certificates and other documents or records.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1119—An act to amend Sections 134, 157, 2616, 2912, 2922, 4106, 4108, 4155, 4217, 4986 of and to add Sections 2921.5 and 4655.5 to the Revenue and Taxation Code, relating to cancellation of unpaid personal property taxes; the notification of the fact of redemption; the accounting of collections by the assessor, tax collector and redemption officer; the penalty date for taxes on the unsecured roll; the payment of taxes on a portion of a parcel of real property; and installment payments on redemption.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1123—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to taxation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1721—An act to amend Section 17000 of the Government Code, relating to issuance of state warrants.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1722—An act to repeal Section 17001 of the Government Code, relating to issuance of state warrants.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1723—An act to repeal Section 17003 of the Government Code, relating to issuance of state warrants.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1724—An act to amend Section 17006 of the Government Code, relating to furnishing the Treasurer with a list of warrants issued.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1725—An act to add Section 17007 to the Government Code, relating to the designation by codes of funds, appropriations, revenues and accounts on the records of the Controller and Treasurer.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1726—An act to amend Sections 17030, 17031, and 17032 and repeal Sections 17033 and 17034 of the Government Code, relating to issuance of warrants.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1889—An act to add Section 1622.5 to the Welfare and Institutions Code, relating to child care, and boarding homes for children.

Referred to Committee on Social Welfare.

Assembly Bill No. 2323—An act to repeal Chapter 929, Statutes of 1939, relating to farm finance.

Referred to Committee on Agriculture.

Assembly Bill No. 2327—An act to repeal Article 2b of Chapter 3, Title 1, Part 3, of the Political Code, relating to the powers and duties of the Department of Agriculture.

Referred to Committee on Agriculture.

Assembly Bill No. 2570—An act to amend Section 8 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relat-

ing to the availability of the appropriation made thereby, declaring the urgency thereof and declaring that this act shall take effect immediately.

Referred to Committee on Military and Veterans Affairs.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 36

Assembly Constitutional Amendment No. 37

Assembly Joint Resolution No. 18

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

Assembly Concurrent Resolution No. 36—Relative to the problem of severely handicapped spastic and crippled children and adults.

Referred to Committee on Social Welfare.

Assembly Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 14 of Article XIII, relating to exemptions of property on account of military service.

Referred to Committee on Military and Veterans Affairs.

Assembly Joint Resolution No. 18—Relative to memorializing Congress to enact legislation to authorize conversion of federal savings and loan associations into state savings and loan or building and loan associations.

Referred to Committee on Financial Institutions.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 70

Senate Bill No. 71

Senate Bill No. 72

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 416

Senate Bill No. 87

Senate Bill No. 1047

Assembly Bill No. 754

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 4, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 544
Senate Bill No. 1282

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 4, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 941

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 4, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Assembly Bill No. 67
Assembly Bill No. 993
Assembly Bill No. 994

Assembly Bill No. 995
Assembly Bill No. 1334

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 4, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 949
Senate Bill No. 1335
Assembly Bill No. 68

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bills ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 4, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 39
Senate Bill No. 686
Senate Bill No. 782

Senate Bill No. 830
Senate Bill No. 1045

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 343
Senate Bill No. 684
Senate Bill No. 687
Senate Bill No. 688
Senate Bill No. 695

Senate Bill No. 853
Senate Bill No. 865
Senate Bill No. 868
Senate Bill No. 873
Senate Bill No. 874

And reports the same correctly engrossed.

POWERS, Chairman

RESOLUTIONS

The following resolutions were offered:

By Senator Slater:

Senate Resolution No. 69

Relative to the death of the Honorable Royal E. Vitousek,
former Speaker of the Hawaiian Legislature

With sincere regret, many California friends and Members of the California Legislature learned of the unexpected death in Honolulu last week of the Honorable Royal E. Vitousek, for many years a Member and Speaker of the Hawaiian Legislature and also Chairman of the Territorial Republican Convention, a man of recognized integrity and prominent in the profession of the law.

Mr. Vitousek was a Californian and his boyhood days were spent in Healdsburg, Sonoma County, a member of a widely known pioneer state family. He attended the Healdsburg schools and later graduated as a lawyer and practiced his profession in Santa Rosa, being then associated for some time with the Honorable Rolfe L. Thompson, for many years now Associate Justice of the Third District Court of Appeal in Sacramento. Many years ago, Mr. Vitousek took up his residence in Hawaii and at the time of his death was head of one of the outstanding law firms in the islands and devoted many years to the upbuilding of social welfare and the advancement of the islands. He quite frequently visited California where his two sons are now attending Stanford University, and a daughter and sister reside in Los Angeles.

In the passing of Mr. Vitousek, a very valuable citizen has exchanged Time for Eternity, leaving behind a life story enriched with many fine and unselfish accomplishments.

To the many tributes of regard for Mr. Vitousek, the Senate of the State of California in session assembled this April 7, 1947, extends its sincere sympathy to the bereaved widow and family of the late Royal E. Vitousek and does so in full appreciation of his recognized devotion to his family, his service to humanity and the other distinguishing highlights of a well spent life.

The Secretary of the Senate is requested to forward a copy of this resolution to Mrs. Vitousek and the members of the deceased's family.

Resolution read, and adopted by a rising vote of the following Senators:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—36.

By Senator Hatfield:

Senate Resolution No. 70

Relative to apportionment of State School Fund.

WHEREAS, There have been presented to the Legislature Senate Bill No. 1368 and Assembly Bill No. 2120, both providing for the apportionment of the State School Fund to the numerous school districts of the State pursuant to the provisions of Proposition No. 3, adopted by the people of the State of California, November 5, 1946; and

WHEREAS, The formulas set up by the two bills vary in many respects, and are of considerable complexity, involving factors of average daily attendance and taxing ability of the school districts; now, therefore, be it

Resolved by the Senate of the State of California, That the Legislative Auditor is hereby requested to prepare and submit to the Legislature, at the earliest possible date, a breakdown by separate school districts, showing the relative apportionments provided by each of Senate Bill No. 1368 and Assembly Bill No. 2120.

Resolution read, and, on motion of Senator Hatfield, adopted.

By Senator Dilworth:

Senate Resolution No. 71

Relative to the creation of the Senate Investigating Committee on Education

Resolved by the Senate of the State of California, As follows:

1. The Senate Investigating Committee on Education is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the Public School System, educational practices in this State, the State Department of Education, the State Board of Education, the Superintendent of Public Instruction, and the

State Curriculum Commission, and particularly (without limitation by reason of the specification thereof) all matters pertaining to the "Building America" textbooks and the issuance of teaching credentials to one Victor R. Jewett, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 107—An act to provide for reimbursement to counties for the cost of administering adoption programs under license issued by the State Department of Social Welfare, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "-----dollars (\$-----)", and insert "one hundred thousand dollars (\$100,000)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 108—An act to add Section 225p to the Civil Code, relating to reimbursement of counties for the cost of care of children relinquished to them for adoption by persons petitioning to adopt such children and by the State, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 13 and 14, of the printed bill, strike out "_____ dollars (\$_____)", and insert "twenty-one thousand six hundred dollars (\$21,600)".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "shall", and insert "may".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 305—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 3, line 6, of the printed bill, strike out "1946", and insert "1947".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 450—An act to add Section 401 to the Code of Civil Procedure, relating to the commencement and trial of actions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, after "action", and before "against", insert "or proceeding".

Amendment No. 2

On page 1, line 13, of the printed bill, after "action", and before "in", insert "or proceeding".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 102—An act to amend Section 224m of the Civil Code, relating to the adoption of children.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 103—An act to amend Section 227b of the Civil Code, relating to adoption of children.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 105—An act to amend Section 551 of the Welfare and Institutions Code, relating to the construction and purpose of the Juvenile Court Law.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 106—An act to add Section 226m to the Civil Code, relating to adoption proceedings.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 220—An act to amend Sections 11500, 11501, 11503, 11504, 11518, 11520, and 11523 of the Government Code, to repeal Section 11514 thereof, and to add new Sections 11514 and 11529 thereto, all relating to administrative procedure.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 101—An act to amend Section 226 of the Civil Code, relating to adoption of children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 2, of the printed bill, after "agency", insert "to accept the consent of the natural parents to the adoption of the child by the petitioners and".

Amendment No. 2

On page 2 of said bill, strike out lines 6 and 7, and insert "to filing report with the court."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 104—An act to add Section 225m to the Civil Code, relating to adoption of children, and providing for licensing county agencies to perform functions in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out the period, and insert ", or to do any of them."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 580—An act to amend Section 6902 and to repeal Section 6903 of the Labor Code, relating to train crews.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1205—An act to amend Section 201 of the Labor Code, relating to the payment of wages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, strike out "This section shall not apply when the employer", and insert

"Notwithstanding the foregoing, an employer who discharges or lays off a group of employees by reason of the termination of seasonal employment in the curing,

canning, or drying of any variety of perishable fruit, fish or vegetables, shall have a reasonable time in which to pay the wages of said employee and should said wages be not paid within a reasonable time, said employer shall be subject to the provisions of Chapter 1 of this code."

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 8 to 11, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 987—An act to repeal Section 395.7 of the Military and Veterans Code, relating to rights of restoration to former or like positions by members of the State Guard leaving private employment for active service in the State Guard.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 988—An act amending Section 395 of the Military and Veterans Code, relating to the pay and allowances of National Guard officers and enlisted men while on active duty in the service of the State and attending drills, camps or special exercises sponsored by federal authority or while serving in cases of an emergency; the right to be reinstated to employment following return from full-time active duty after an emergency and the procedure therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 195—An act to add Sections 820.5 and 987.01 to the Military and Veterans Code, relating to the rate of interest on veterans' farm and home purchases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "5 percent", and insert "fixed by the board".

Amendment No. 2

On page 1, line 12, of said bill, strike out "and assignees".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 370—An act to amend Sections 72 and 78 of the Military and Veterans Code, relating to the Department of Veterans Affairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate on March 28, 1947, insert a period after "Department", and strike out the remainder of line 8 and all of lines 9 through 13.

Amendment No. 2

On page 1, line 20, of the printed bill, insert a period after "Department", and strike out all of lines 21 to 23, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 372—An act to amend Sections 68 and 78 and to repeal Section 72 of the Military and Veterans Code, relating to the California Veterans Board and the Director of Veterans Affairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, after "Board", strike out "At any called meeting at which is present a quorum".

Amendment No. 2

On page 1 of the printed bill, strike out lines 11 to 21, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 288—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners in counties, or cities and counties, having a population of 2,000,000 or over.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1091—An act to add Section 4156d to the Political Code and Section 26542 to the Government Code, relating to district attorneys.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1668—An act to add Section 7.5 to the Welfare and Institutions Code, relating to administration of oaths.

Bill read second time, and ordered to third reading.

Assembly Bill No. 100—An act to amend Sections 971 and 992.1 of the Military and Veterans Code, relating to assistance to families of deceased veterans.

Bill read second time, and ordered to third reading.

Assembly Bill No. 130—An act to amend Section 699.5 of the Military and Veterans Code, relating to the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 353—An act to add Chapter 3, comprising Sections 430 to 435.6, inclusive, to Part 1 of Division 1 of the Health and Safety Code, and to repeal Chapter 56 of the Statutes of the Fifty-sixth (First Extraordinary) Session of the Legislature, providing for a program of surveying hospital and health center facilities and of construction of additional hospital and health center facilities to be administered by the State Department of Public Health, implementing the Federal Hospital Survey and Construction Act, establishing the Advisory Hos-

pital Council, and providing for state assistance to public agencies for the construction of hospitals and health centers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 684—An act to add Section 560.2 to the Agricultural Code, relating to cream dressing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 687—An act to add Section 559.5 to the Agricultural Code, relating to fermented milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 688—An act to amend Section 469.5 of the Agricultural Code, relating to milk and cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 695—An act to amend Section 742.1 of the Agricultural Code, relating to the California Industry Advisory Board and the powers, duties and responsibilities thereof and of the Director of Agriculture in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 853—An act to amend Section 748.1 of the Agricultural Code, relating to fund balances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 865—An act to amend Section 501 of the Agricultural Code, relating to milk inspection services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Tenney, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 868—An act to amend Section 690 of the Agricultural Code, relating to the disposition of moneys derived under the provisions of the Milk and Milk Products Act of 1941.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Watson, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 873—An act to amend Section 453.1 of the Agricultural Code, relating to imitation milk and milk products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 830—An act to amend Section 1043 of the Agricultural Code, relating to licenses of persons selling fertilizing materials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, Mayo,

McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 39—An act to amend Section 50 of the Fish and Game Code, relating to game management area.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 791—An act to amend Section 525 of the Fish and Game Code, relating to obstructions.

Bill read third time.

Motion to Amend

Senator Carter moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of said bill, as amended in the Senate on March 19, 1947, strike out "The owner of any dam shall allow sufficient"; strike out lines 9 to 11, inclusive; and in line 12, strike out "be planted or exist below the dam."

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 782—An act to repeal Sections 24a, 120, 121, 122, 123, 123.1, 140, 141, and 142 of, to amend Section 124 of, and to add Sections 120, 120.1, 120.2, 120.3, 120.4, 120.5, 120.6, 120.7, 121, 121.1, 121.2, 121.3, 121.4, 121.5, 122, 122.1, 122.2, 122.3, 122.4, 122.5, 122.6, 122.7, 122.8, 123, 123.1, and 123.2, to the Bank Act, relating to the qualifications, appointment, term, compensation and duties of the Superintendent of Banks, the duties, employees, records, and expenses of the State Banking Department, and the collection and disposition of the State Banking Fund.

Bill read third time.

Motion to Amend

Senator Salsman moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 3, 1947, before "120", insert
"Sec."

Amendment No. 2

On page 1, line 9, of said bill, before "120.1", insert
"Sec."

Amendment No. 3

On page 1, line 18, of said bill, before "120.2", insert
"Sec."

Amendment No. 4

On page 2, line 6, of said bill, before "120.3", insert
"Sec."

Amendment No. 5

On page 2, line 11, of said bill, before "120.4", insert
"Sec."

Amendment No. 6

On page 2, line 20, of said bill, before "120.5", insert "Sec."

Amendment No. 7

On page 2, line 27, of said bill, before "120.6", insert "Sec."

Amendment No. 8

On page 2, line 38, of said bill, before "121", insert "Sec."

Amendment No. 9

On page 2, line 44, of said bill, before "121.1", insert "Sec."

Amendment No. 10

On page 3, line 2, of said bill, before "121.2", insert "Sec."

Amendment No. 11

On page 3, line 7, of said bill, before "121.3", insert "Sec."

Amendment No. 12

On page 3, line 13, of said bill, before "121.4", insert "Sec."

Amendment No. 13

On page 3, line 40, of said bill, before "121.5", insert "Sec."

Amendment No. 14

On page 4, line 3, of said bill, before "122", insert "Sec."

Amendment No. 15

On page 4, line 11, of said bill, before "122.1", insert "Sec."

Amendment No. 16

On page 4, line 16, of said bill, before "122.2", insert "Sec."

Amendment No. 17

On page 4, line 23, of said bill, before "122.3", insert "Sec."

Amendment No. 18

On page 4, line 32, of said bill, before "122.4", insert "Sec."

Amendment No. 19

On page 4, line 35, of said bill, before "122.5", insert "Sec."

Amendment No. 20

On page 4, line 39, of said bill, before "122.6", insert "Sec."

Amendment No. 21

On page 5, line 11, of said bill, before "122.7", insert "Sec."

Amendment No. 22

On page 5, line 17, of said bill, before "122.8", insert "Sec."

Amendment No. 23

On page 6, line 11, of said bill, before "123", insert "Sec."

Amendment No. 24

On page 6, line 41, of said bill, before "123.1", insert "Sec."

Amendment No. 25

On page 7, line 2, of said bill, before "123.2", insert "Sec."

Amendment No. 26

On page 7, line 10, of said bill, before "124", insert "Sec."

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1121—An act to amend Section 14797 of the Revenue and Taxation Code, relating to maximum commissions that may be retained by county treasurers out of inheritance taxes.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Williams:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal Division 7 of, and add Division 7 to, the Citrus Pest District Control Act, relating to citrus pest control districts.

Respectfully submitted.

SENATOR HOWARD WILLIAMS

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 7, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, and Williams—32.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 1552: By Senator Williams—An act to repeal Division 7 of, and add Division 7 to, the Citrus Pest District Control Act, relating to citrus pest control districts.

Referred to Committee on Agriculture.

Senate Concurrent Resolution No. 33: By Senator Parkman—Relative to designation of certain highways as Blue Star Memorial Routes.

Request for Unanimous Consent

Senator Parkman asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 33, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 33

Senate Concurrent Resolution No. 33—Relative to designation of certain highways as Blue Star Memorial Routes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

Assembly Bill No. 2273—An act to provide for a comprehensive survey of the System of Publicly Supported Higher Education in California, including the junior colleges, the state colleges and the University of California and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2273:

STATE OF CALIFORNIA

Governor's Office, SACRAMENTO, March 17, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 2273—"An act to provide for a comprehensive survey of the System of Publicly Supported Higher Education in California, including the junior colleges, the state colleges and the University of California and making an appropriation therefor, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 2273 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Hatfield, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—28.

NOES—Senators Donnelly, Gordon, and Sutton—3.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2599—An act making an appropriation in augmentation of Item 26 of the Budget Act of 1945, for support of the Governor and the Governor's Office, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2599:

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, March 25, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 2599—"An act making an appropriation in augmentation of Item 26 of the Budget Act of 1945, for support of the Governor and the Governor's Office, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 2599 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Senate Bill No. 37

Senate Bill No. 573

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and re-refer to Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

DILLINGER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Senate Bill No. 265

Senate Bill No. 1272

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

DILLINGER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Senate Bill No. 1159

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 6; absent 3.

DILLINGER, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Senate Bill No. 192

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; noes 1; absent 3.

DILLINGER, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 14—Relative to memorializing the President and the Congress of the United States in relation to appropriations affecting the United States Customs Service;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventh day of April, 1947, at 3.30 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1402—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the seventh day of April, 1947, at 3.30 p.m.

POWERS, Chairman

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 962

Senator Judah moved that Senate Bill No. 962 be withdrawn from Committee on Social Welfare, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 962—An act to amend Section 7.2 of the Unemployment Insurance Act, relating to unemployment insurance and employments excluded therefrom.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 27, 1947, after "of", insert "and to add Section 56.2 to,".

Amendment No. 2

On page 1 of said bill, strike out lines 5 and 6; and in line 7, strike out "(b)", and insert "(a)".

Amendment No. 3

On page 1, line 8, of said bill, after "newspapers," insert "or".

Amendment No. 4

On page 1, line 9, of said bill, strike out "or magazines."

Amendment No. 5

On page 1 of said bill, strike out lines 11 to 13, inclusive, and insert
"(b) Service performed by an individual under the age of 18 in the delivery or distribution of magazines, not including delivery or distribution to any point for subsequent delivery or distribution.

SEC. 2. Section 56.2 is added to said act, to read:

Sec. 56.2. An individual is not eligible for benefits and no such benefits shall be payable to him if he is under the age of 18 years and his primary occupation is attendance at a public or private school during the school year, or if he is under the age prescribed by law for obtaining a work permit."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

REQUEST FOR UNANIMOUS CONSENT

Senator Judah asked for, and was granted, unanimous consent to have 250 additional copies of Senate Bill No. 1167 printed.

Motion to Take Bill From the Inactive File

Senator Keating moved that Senate Bill No. 49 be taken from the inactive file, and placed on the second reading file.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 49—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons.

Bill read second time.

Motion to Amend

Senator Keating moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 17 and 18, of the printed bill, strike out "delivery of a copy of the complaint and summons to the defendant", and insert "the making of such personal service".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Motion to Take Bill From the Inactive File

Senator Dilworth moved that Senate Bill No. 209 be taken from the inactive file, and placed on the second reading file.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 797

Senator Keating moved that Senate Bill No. 797 be withdrawn from Committee on Judiciary, and referred to Committee on Public Health and Safety.

Motion carried.

ADJOURNMENT

At 3.55 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Tuesday, April 8, 1947, out of respect to the memory of the late Royal E. Vitousek, former Speaker of the Hawaiian Legislature.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

THIRTY-NINTH LEGISLATIVE DAY

NINETY-THIRD CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, April 8, 1947

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rieh, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Hulse, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Evelyn Benagh, Mr. James W. Bibb, and Colonel Jesse Jackson, of Long Beach.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. J. T. Sidener, Principal and Instructor, and the following students of the American Problems Class, Rio Vista Joint Union High School: Clara Agust, Betty Anzalove, Edith Carpenter, Jewel Cibulka, Don Davis, John Del Zompo, Marie Fenton, Faye Francioni, Rosalie Goodman, Shirley Hastings, Mary Jane Horsky, Robert Lee, Edwina Lee, Rose Lopez, Marian Maria, Mary Louise McDougal, Louis Owyong, Dolores

Pitta, Betty Rasmussen, Evelyn Ridding, Ruth Vallejo, Joan Vaughn, Dolores Viegas, Beverly Whitaker, Winefred Wright, and Kazie Yashida.

On request of Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. A. W. Vasey of Long Beach.

On request of Senator DeLap, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Grace Drummond and Mary Ward, of San Francisco, and Mrs. Agnes Boe, of Diablo Park.

On request of Senators Sutton and Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ray W. Vaughn of Merced.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. James E. Busch, District Attorney of Mendocino County.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Abraham M. Dresow, Mr. F. H. Kockler, and Mr. Edward Howden, of San Francisco.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Fred L. Esola, former United States Marshal, of San Francisco.

On request of Senators O'Gara and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. S. O. Thorlaksson, Vice Counsel for Ireland, of Berkeley.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Marjorie Sutter, of Los Angeles.

On request of Senators Dillinger and Mayo, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Earl J. Garbarini, of Jackson.

On request of Senators O'Gara and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Joe Grant Masooka, of San Francisco.

On request of Senators Powers and Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Dominic Sirienni, Mr. Tom Wheeler, and Mr. Earl Shoup, of Dunsmuir.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge Daniel H. Knox, of Alameda.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, April 7, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN: I have the honor to transmit to you a translation of a telegram which I have received from the President of Mexico in response to the invitation to visit this State extended him in your Senate Resolution 66 adopted March 25th. President Aleman's telegram reads as follows:

"Sr. Earl Warren

Governador Estado De California, Sacramento, California

I appreciate the gracious invitation which you sent me in your message of March 25th, in the name of the people of California, as well as the formal concurrence of both legislative houses of your State, with the purpose of inviting

me to include California in the itinerary of my coming trip. I regret greatly that the time limitation to which my itinerary is of necessity subject prevents me from visiting California on that occasion. In return for their courteous gesture I beg that you present to the two honorable houses in common my heartiest thanks.

PRESIDENTE REPUBLICA MIGUEL ALEMAN"

Sincerely,

EARL WARREN, Governor

Message read, and ordered printed in the Journal.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 362

Assembly Bill No. 411

Assembly Bill No. 619

Assembly Bill No. 649

Assembly Bill No. 981

Assembly Bill No. 1030

Assembly Bill No. 1032

Assembly Bill No. 1193

Assembly Bill No. 1346

Assembly Bill No. 2034

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 362—An act to amend Section 1395 of the Labor Code, relating to the employment of minors.

Referred to Committee on Labor.

Assembly Bill No. 411—An act to amend Section 973 of the Labor Code, relating to solicitations for employment.

Referred to Committee on Labor.

Assembly Bill No. 619—An act relating to insurance and to the payment of commissions and fees in connection therewith, authorizing and regulating rating and other organizations formed to serve insurers and granting certain immunities from prosecution under other laws which do not specifically relate to insurance.

Referred to Committee on Financial Institutions.

Assembly Bill No. 649—An act to amend Section 737uu of the Political Code, relating to the salary of superior judges in and for the County of Siskiyou.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 981—An act to amend Section 647a of the Penal Code, relating to annoying or molesting children, vagrancy, punishment.

Referred to Committee on Judiciary.

Assembly Bill No. 1030—An act to amend Section 737m of the Political Code, relating to salaries of judges of superior courts.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1032—An act to amend Section 4250 of the Political Code and Section 28121 of the Government Code, relating to compensation for public services in counties of the twenty-first class.

Referred to Committee on Local Government.

Assembly Bill No. 1193—An act to amend Section 737ff of the Political Code, relating to salaries of superior court judges.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1346—An act to amend Section 1 of, and to add Sections 6.5a to 6.5r, inclusive, to "An act to regulate and prevent the transportation of persons to gambling ships; to prevent the solicitation of persons to visit gambling ships and to provide penalties for such transportation or solicitation," approved May 21, 1929, relating to the definition of the term "gambling ship," declaring to be nuisances conveyances which are used in violation thereof, providing for the abatement and prevention of such nuisances by injunction and otherwise, providing for the forfeiture of such conveyances, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 2034—An act to amend Section 5 of, and to add Section 14.5 to, the Water Conservation Act of 1929, as reenacted by Chapter 1020, Statutes of 1931, relating to water conservation district directors.

Referred to Committee on Water Resources.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 101

Senate Bill No. 370

Senate Bill No. 104

Senate Bill No. 372

Senate Bill No. 195

Senate Bill No. 450

Senate Bill No. 305

Senate Bill No. 1205

Senate Concurrent Resolution No. 33

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 49

Senate Bill No. 782

Senate Bill No. 791

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 102

Senate Bill No. 220

Senate Bill No. 103

Senate Bill No. 580

Senate Bill No. 105

Senate Bill No. 987

Senate Bill No. 106

Senate Bill No. 988

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Education

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 531

Senate Bill No. 1210

Senate Bill No. 837

Assembly Bill No. 2654

Senate Bill No. 840

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

SLATER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 276

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

SLATER, Chairman

Above reported bill ordered to second reading.

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 2570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

WARD, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 281

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 631

Senate Bill No. 746

Senate Bill No. 971

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1439

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

MOTION TO APPROVE JOURNALS

Senator Powers moved that the Journals of Monday, March 31, 1947; Tuesday, April 1, 1947; Wednesday, April 2, 1947; and Thursday, April 3, 1947, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

MOTION TO SET SPECIAL ORDER

Senator Ward moved that Senate Bill No. 580 be made a special order of business for Tuesday, April 15, 1947, at 2.30 p.m.

Motion carried.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Salsman:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation for expenses of Members of the Senate pursuant to Section 352 of the Political Code.

Respectfully submitted.

SENATOR BYRL R. SALSMAN

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 8, 1947

The Committee on Rules recommends that permission be granted to introduce the bills as requested, and that the bills be referred to Committee on Rules.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillingier, Dilworth, Donnelly, Gordon, Hatfield, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced, and read the first time:

Senate Bill No. 1553: By Senator Salsman—An act making an appropriation for expenses of Members of the Senate pursuant to Section 352 of the Political Code.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE**SECOND READING OF SENATE BILLS**

Senate Bill No. 70—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 1, lines 12 and 13, of the printed bill, strike out "eight hundred forty dollars (\$3,840)", and insert "six hundred dollars (\$3,600)".

Amendment No. 2

On page 1, line 16, of the printed bill, strike out "two hundred eighty dollars (\$2,280)", and insert "four hundred dollars (\$2,400)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 71—An act to add Section 261c to the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "three", and insert "two".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "three", and insert "one".

Amendment No. 3

On page 1, line 11, of the printed bill, strike out "examiners, each", and insert "examiner".

Amendment No. 4

On page 1, line 13, of the printed bill, strike out "eight hundred forty dollars (\$3,840)", and insert "six hundred dollars (\$3,600)".

Amendment No. 5

On page 1, line 14, of the printed bill, strike out "four senior probate checkers, each", and insert "one senior probate checker".

Amendment No. 6

On page 1, line 15, of the printed bill, strike out "two hundred dollars (\$3,200)", and insert "dollars (\$3,000)".

Amendment No. 7

On page 1, lines 16 and 17, of the printed bill, strike out "eight hundred dollars (\$2,800)", and insert "six hundred forty dollars (\$2,640)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 72—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, strike out "six hundred dollars (\$3,600)", and insert "two hundred forty dollars (\$3,240)".

Amendment No. 2

On page 1, lines 13 and 14, of the printed bill, strike out "three hundred dollars (\$3,300)", and insert "dollars (\$3,000)".

Amendment No. 3

On page 1 of the printed bill, strike out lines 17 and 18, and insert "three thousand six hundred dollars (\$3,600) per annum; three junior".

Amendment No. 4

On page 1, line 23, of the printed bill, strike out "four", and insert "two".

Amendment No. 5

On page 1, line 24, of the printed bill, strike out "two hundred eighty dollars (\$2,280)" and insert "four hundred dollars (\$2,400)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 416—An act to amend Sections 120, 152, 311, 315, 340, 350, 381, 440, 460, 502, 561, 583, 584, 820, 900, 901, 951, 952, 953, 954, 960, 1121, 1130, 1133, 1134, 1135, 1152, 1153, 1171, 1201, 1210, 1221, 1411, 1421, 1422, 1425, 1481, 1524, 1525, 1621, 1631, 1633, 1720, 1731, 1751, 1753, 1760, 1770, 1771, 1800, 1910, 2000, 2002, and 2005 of the Municipal Utility District Act, to repeal Sections 154, 317, 1211, 1212, 1213, 1220, 1222 thereof, to repeal Article 2, Chapter 4, Part 3, comprising Section 470 thereof, to repeal Chapter 5, Part 6, comprising Sections 1500 to 1507, inclusive, thereof, and add a new Chapter 5, Part 6, comprising Sections 1500 to 1504, inclusive, thereto, and to add Sections 17, 26, 27, 28, 604, 950.5, 950.6, 1202, 1203, 1441, and 1772 thereto, relating to municipal utility districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1047—An act to amend Section 3721 of the Political Code, relating to assessment and taxation of property affected by the organization, formation and incorporation of sanitary districts or any change of boundaries thereof or any consolidation of such districts, declaring the urgency thereof and providing that it shall take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 87—An act to add Section 7e to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the office of secretary and jury commissioner in municipal courts in cities of the first and one-half class.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 544—An act to amend Sections 20602, 20602.1, 21252, 21252.1, and 21256 and to repeal Section 20602.3 of the Government Code, relating to the State Employees' Retirement System, providing for the rights, contributions and pensions of patrol members and former patrol members in respect to said system, providing for the refund or other disposition of certain optional contributions by patrol members to said system, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1 of the printed bill, strike out line 2, and insert "in the State Treasury the sum of six hundred fifty-nine thousand three hundred two dollars and thirty-three cents (\$659,302.33)".

Amendment No. 2

On page 1, line 7, of said bill, after "person", insert "who has suffered an industrial death or who is".

Amendment No. 3

On page 1, line 8, of said bill, after "retirement", insert ", and".

Amendment No. 4

On page 1, line 9, of said bill, after "retirement", insert "or industrial death,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 1282—An act to transfer buildings of the Department of Professional and Vocational Standards to the Department of Finance and to repeal Chapter 5 of Division 1 of the Business and Professions Code, relating to the supervision and operation of state buildings, making an appropriation, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "authorizing the".

Amendment No. 2

In line 1 of the title of the printed bill, after "transfer", insert "of".

Amendment No. 3

Strike out line 3 of the title of the printed bill.

Amendment No. 4

In line 4 of the title of the printed bill, strike out "Professions Code," and insert "and".

Amendment No. 5

In line 5 of the title of the printed bill, strike out ", making an appropriation, and providing that this act shall take effect immediately".

Amendment No. 6

On page 1, line 1, of the printed bill, strike out "All", and insert "Upon request of the Director of Professional and Vocational Standards all".

Amendment No. 7

On page 1, line 4, of the printed bill, strike out "are hereby", and insert "may be".

Amendment No. 8

On page 1, line 5, of the printed bill, after "Finance", insert "is hereby authorized to accept such transfer and upon such transfer said department".

Amendment No. 9

On page 1 of the printed bill, strike out all of lines 22, 23, and 24.

Amendment No. 10

On page 2 of the printed bill, strike out all of lines 1 to 11, inclusive.

Amendment No. 11

On page 1 of the printed bill, strike out lines 9 to 11, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 949—An act to add Article 7.5 to Chapter 1, Division 4, Title 1 of the Government Code, relating to strikes by government officers or employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on March 24, 1947, strike out lines 18 to 23, inclusive; and in line 24, strike out "1206", and insert "1205".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 1335—An act to add Section 18939 to the Government Code, relating to physical examinations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 4, of the printed bill, after "applicant", insert "other than a disabled veteran".

Amendment No. 2

On page 1, line 9, of said bill, after "employee", insert "other than a disabled veteran".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 37—An act to amend Sections 2020, 2186, and 2187 of the Welfare and Institutions Code, to repeal Sections 2021, 2021.01, 2025, and 2187.01 thereof, and to amend and renumber Section 2021.001 thereof, relating to aid to the aged, increasing the amount thereof, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 39, of the printed bill, strike out "shall be"; strike out line 40; and on line 41, strike out "able.", and insert "for each county shall bear the same proportion to the total amount made available to this State for such administrative costs that the administrative costs of that county bear to the total administrative costs of all counties and of the State."

Amendment No. 2

On page 3 of said bill, after line 7, insert "SEC. 8. This act shall become operative on the first day of the month succeeding its effective date, unless its effective date is the first day of a month in which case it shall become operative on its effective date."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 573—An act to add Section 1511.1 to and to amend Sections 1510, 1511, 1512, 1554, 1555, and 1559 of the Welfare and Institutions Code, relating to aid to needy children and the amount of state and county aid to be provided for such children and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 8, of the printed bill, after "month", insert "or portion of a month".

Amendment No. 2

On page 2 of the printed bill, strike out lines 18 to 20, inclusive, and insert "shall be binding upon them."

Amendment No. 3

On page 2 of said bill, strike out lines 30 to 33, inclusive, and insert "such supplementation."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 265—An act to add Section 141 to the Welfare and Institutions Code, relating to rules and regulations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, as amended in the Senate on March 28, 1947, strike out "or with decisions of any court of record in the State,".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 1272—An act to amend Sections 2000, 2011, 2020, 2160, 2181, 2186, and 2187 of the Welfare and Institutions Code, to amend the chapter heading of Chapter 1 of Division 3 thereof, to amend and renumber Section 2021.001 thereof to be Section 2021, to add Sections 2000.1, 2000.2, 2019, 2020.1, and 2020.2 thereto, and to repeal Sections 2021, 2021.01, 2025, 2181.01, 2187.01, and 2224 thereof, and to amend Section 206 of the Civil Code and Section 270c of the Penal Code, relating to aid to the aged, designating such aid as senior citizens grants, increasing the amount thereof and providing for funeral benefits and health services for recipients thereof, modifying property and income qualifications therefor, eliminating the liability of relatives to contribute to the support of recipients thereof and to make reimbursement therefor, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 5 of the title of the printed bill, strike out "2019, 2020.1, and", and insert "and 2020.1".

Amendment No. 2

In line 6 of the title of said bill, strike out "2020.2".

Amendment No. 3

On page 2 of said bill, strike out lines 40 to 49, inclusive.

Amendment No. 4

On page 3 of said bill, strike out lines 23 to 31, inclusive.

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 192—An act to amend Section 2016 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 209—An act to amend Section 6357 of the Education Code, relating to rates of school district tax.

Bill read second time, and ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 754—An act to amend Sections 4.4 and 5.1 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 67—An act to add Section 18972.5 to the Government Code, relating to physical qualifications of veterans for state civil service.

Bill read second time, and ordered to third reading.

Assembly Bill No. 993—An act to amend Sections 18533, 18537, 19054, and 19057 of the Government Code, relating to eligible lists and certification of employees in the state civil service.

Bill read second time, and ordered to third reading.

Assembly Bill No. 994—An act to amend Section 19055 of the Government Code, relating to certification from eligible lists in the state civil service.

Bill read second time, and ordered to third reading.

Assembly Bill No. 995—An act to amend Section 18859 of the Government Code, relating to adjustments in salary ranges for state employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1334—An act to amend Sections 7 and 26 of the Construction and Employment Act, relating to the State Allocation

Board and to allocation of state funds to local agencies for the construction of public works.

Bill read second time, and ordered to third reading.

Assembly Bill No. 68—An act to add Section 19057.5 to the Government Code, relating to appointments in state civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 26, 1947, strike out line 4; and in line 5, strike out "of one or two veterans", and insert "veteran to a position for which the names of one or more veterans have been certified".

Amendment No. 2

On page 1 of said bill, strike out lines 8 to 11, inclusive, and insert "each veteran whose name has been certified and who was not appointed or to his authorized representative."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

THIRD READING OF SENATE BILLS

Senate Bill No. 343—An act to amend the heading of Division 4, to renumber Chapters 10 and 11 of Division 4 to be Chapters 13 and 14, respectively, to repeal Chapters 3 and 8 of Division 6, of the Agricultural Code, and to add Chapters 11 and 12 to Division 4 of said code, relating to milk and dairy products and the marketing thereof.

Motion to Refer Bill to Inactive File

Senator Hatfield moved that Senate Bill No. 343 be placed on the inactive file.

Motion carried.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 686—An act to add Section 553.3 to the Agricultural Code, relating to evaporated chocolate milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1045—An act to amend Section 21 of the Bank Act, relating to surplus of banks, Sections 23, 60, and 82 of the Bank Act, relating to the minimum capital requirements for new banks, and Section 9, relating to the establishment of branch banks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 305—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Williams moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 5, of the printed bill, as amended in the Senate on April 7, 1947, after "the", insert "Second".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 450—An act to add Section 401 to the Code of Civil Procedure, relating to the commencement and trial of actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 220—An act to amend Sections 11500, 11501, 11503, 11504, 11518, 11520, and 11523 of the Government Code, to repeal Section 11514 thereof, and to add new Sections 11514 and 11529 thereto, all relating to administrative procedure.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1205—An act to amend Section 201 of the Labor Code, relating to the payment of wages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 987—An act to repeal Section 395.7 of the Military and Veterans Code, relating to rights of restoration to former or like positions by members of the State Guard leaving private employment for active service in the State Guard.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 988—An act amending Section 395 of the Military and Veterans Code, relating to the pay and allowances of National Guard officers and enlisted men while on active duty in the service of the State and attending drills, camps or special exercises sponsored by federal authority or while serving in cases of an emergency; the right to be reinstated to employment following return from full-time active duty after an emergency and the procedure therefor.

Bill read third time.

Motion to Amend Title

Senator Quinn moved the adoption of the following title amendment:

Amendment No. 1

In line 8 of the title of the printed bill, strike out "therefore.", and insert "therefor, declaring the urgency thereof, to take effect immediately."

Amendment read, and adopted.

Further Consideration of Senate Bill No. 988

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Quinn, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—29.

NOES—None.

Senate Bill No. 988 ordered printed, and transmitted to the Assembly.

Senate Bill No. 195—An act to add Sections 820.5 and 987.01 to the Military and Veterans Code, relating to the rate of interest on veterans' farm and home purchases.

Bill read third time.

Motion to Amend

Senator Quinn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Senate on April 7, 1947, strike out "5 percent", and insert "as fixed by the board".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 49—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 354—An act to add Section 11275 to the Government Code, relating to the administrative costs of state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 370—An act to amend Sections 72 and 78 of the Military and Veterans Code, relating to the Department of Veterans Affairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 372—An act to amend Sections 68 and 78 and to repeal Section 72 of the Military and Veterans Code, relating to the California Veterans Board and the Director of Veterans Affairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Motion to Amend Title

Senator Ward moved the adoption of the following title amendment:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 7, 1947, strike out "Sections 68 and 78 and to repeal Section 72", and insert "Section 68".

Senate Bill No. 372 ordered printed, and transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 432—An act making an appropriation in augmentation of the appropriation in Item 187 of the Budget Act of 1945, payable from the Motor Vehicle Fund, for support of the Department of Motor Vehicles, to take effect immediately.

Bill read third time, and presented by Senator Rich.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 432:

STATE OF CALIFORNIA

Governor's Office, Sacramento, March 21, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 432—"An act making an appropriation in augmentation of the appropriation in Item 187 of the Budget Act of 1945, payable from the Motor Vehicle Fund, for support of the Department of Motor Vehicles, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 432 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1122—An act to amend Section 3793.5 and to repeal Section 3807.8 of the Revenue and Taxation Code, relating to notices on purchases of tax-deeded property by taxing agencies.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dillworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 100—An act to amend Sections 971 and 992.1 of the Military and Veterans Code, relating to assistance to families of deceased veterans.

Bill read third time.

Motion to Amend

Senator Kraft moved the adoption of the following amendment:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 26, 1947, strike out "Sections 971 and 992.1", and insert "Section 971".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 458

Senator Hatfield moved that Senate Bill No. 458 be withdrawn from Committee on Local Government, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 458—An act to amend Section 4265 of the Political Code and Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class.

Bill read second time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after "Code," insert "and to add Sections 424 and 436 to the Education Code,".

Amendment No. 2

In line 3 of the title of said bill, strike out "in counties of the thirty-sixth class".

Amendment No. 3

On page 4 of said bill, between lines 3 and 4, insert

"Sec. 3. Section 424 is added to the Education Code, to read:

424. In a county of the twenty-fourth class, the qualifications of the county superintendent of schools are the holding of a credential as an elementary school administrator. The annual salary of the county superintendent of schools is four thousand five hundred dollars (\$4,500).

SEC. 4. Section 436 is added to the Education Code, to read:

436. In a county of the thirty-sixth class, the qualifications of the county superintendent of schools are the holding of a credential as an elementary school administrator. The annual salary of the county superintendent of schools is four thousand five hundred dollars (\$4,500)."

Amendment No. 4

On page 4, line 4, of said bill, strike out "3", and insert "5".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel, regarding quarters for the Legislature, printed in the Journal, in 10-point type.

Opinion of Legislative Counsel

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO 2, CALIFORNIA, April 5, 1947

Quarters for Legislature—No. 3782

*Hon. George J. Hatfield**Senate Chamber*

DEAR SENATOR HATFIELD: You have asked us a series of questions which we will paraphrase as follows:

What can the Legislature do to assure itself that:

(a) The Capitol Annex will be commenced and completed as expeditiously as possible?

(b) The plans and specifications for the Capitol Annex will provide suitable and adequate quarters for the Legislature and its adjuncts?

(c) Adequate space will be provided in the existing Capitol for present needs of the Legislature and its adjuncts?

(a) The Capitol Annex is a part of the state building program provided for by Chapter 145 of the 1946 (First Extraordinary) Session. Section 3 of that act gives a practically absolute priority to the projects for hospitals and institutions for the mentally ill and other wards of the State. Unless this priority is changed by statute, the construction of the annex will await the time that it will not use material or labor which could be devoted to the institution and hospital program.

The priority is given by the following language of Section 3 of the act:

“* * * The Legislature realizes that said Statement of Capital Expenditures Required by State Agencies includes proposals for the expenditure of many, many millions of dollars for projects not designed or calculated to relieve, ameliorate or rectify the intolerably overcrowded and distressed living conditions at our hospitals and other institutions for the care of the mentally ill and other wards of the State, and, therefore, requests and directs the State Public Works Board, in the exercise of its powers and the discharge of its responsibilities under this act, to give prime consideration to the needs of these institutions, and, in making its approvals and in establishing priorities, to do everything within its power to assure prompt rectification of such conditions and to allow or suffer the undertaking of no other project at a time or in a manner or under conditions that will or may impair or retard the expeditious and complete attainment of these objectives for the wards of the State.”

A resolution would be ineffective to modify this priority. However effective a resolution might be to guide the discretion of an administrative board, it obviously can have no effect when, as here, there is no discretion. In any event a resolution has no binding force on anyone other than the members of the house or houses adopting it (*Mullen vs. State*, 114 Cal. 578).

(b) We believe it would be proper to provide for an interim committee of the Legislature to work with and advise the State Architect in the

preparation of plans and specifications for the Capitol Annex. We believe that a statute for this purpose would be preferable to a resolution. Our theory is that in providing quarters for itself the Legislature would be performing a legislative function. We have no doubt that if the present Capitol were destroyed, the Legislature could provide itself with quarters without reference to the Executive Branch of the State Government. Furthermore, the Legislative Branch of the Government knows its needs and what provision should be made to satisfy them better than any other branch.

Our reason for preferring a statute to a resolution is the case of *Parker vs. Riley* (1941), 18 Cal. (2d) 83, holding valid the creation of the California Commission on Interstate Cooperation on the ground that the functions of the legislator members were legislative in nature. We believe that somewhat broader power than merely investigating can be conferred by a statute. The constitutional provision authorizing the creation of interim investigating committees (Sec. 37, Art. IV) amply authorizes investigations but nothing else.

(c) The allotment of space in the existing State Capitol is under the jurisdiction of the Department of Finance. (Sec. 13160, Gov. C.) The Director of Finance would probably *make an effort* to comply with a resolution requesting him to provide more space for the Legislature and its adjuncts. The Legislature undoubtedly has power to provide by statute who shall and who shall not occupy the Capitol. Such a statute could be made an urgency measure as it would not involve changing the duties of the Director of Finance but simply direct him in exercising powers already vested in him.

Inasmuch as providing more space for the Legislature involves moving somebody out of the building and probably crowding one of the other buildings, we believe a statute could get better results than any resolution that could be drafted.

We are enclosing copies of Assembly Bills Nos. 1153, 2522, and 2528 which bear on the subject and which may have some suggestive value. From the standpoint of administration, Assembly Bill No. 2522 has the advantage of definiteness, inasmuch as it specifies who moves and who does not. Inasmuch as moving anyone out may involve crowding some place else, you might want to consider permitting the temporary, but only temporary, occupation of the vacated offices while the Legislature is not in session.

Very truly yours

FRED B. WOOD, Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

REQUEST FOR UNANIMOUS CONSENT

Senator Crittenden asked for, and was granted, unanimous consent to have the following letter of transmittal submitted by the University of California, regarding "Limitation of State Taxation," printed in the Journal, and 500 additional copies of the report be printed for distribution.

LETTER OF TRANSMITTAL

UNIVERSITY OF CALIFORNIA

BUREAU OF PUBLIC ADMINISTRATION, BERKELEY 4, CALIFORNIA,

April 4, 1947

*Senator Bradford S. Crittenden**California Legislature, State Capitol**Sacramento 14, California*

DEAR SENATOR CRITTENDEN: We are enclosing the study on "Limitation of State Taxation", prepared by Russell Barthell and Helen Campbell, in answer to your recent request.

It is our hope that this report will answer your questions in regard to the State's taxable capacity. If there is anything further that we can do to help you in this matter, then please do not hesitate to call on us, for we shall be glad to be of service.

With kind personal regards, I remain

Sincerely yours,

SAMUEL C. MAY, Director

cc: Legislative Counsel

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 104—An act to add Section 225m to the Civil Code, relating to adoption of children, and providing for licensing county agencies to perform functions in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 101—An act to amend Section 226 of the Civil Code, relating to adoption of children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 102—An act to amend Section 224m of the Civil Code, relating to the adoption of children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah,

Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 103—An act to amend Section 227b of the Civil Code, relating to adoption of children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 105—An act to amend Section 551 of the Welfare and Institutions Code, relating to the construction and purpose of the Juvenile Court Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 106—An act to add Section 226m to the Civil Code, relating to adoption proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1668—An act to add Section 7.5 to the Welfare and Institutions Code, relating to administration of oaths.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Gordon:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act relating to the solicitation of individual or group hospitalization, surgical and medical care programs for members or potential members of nonprofit agricultural or horticultural organizations.

Respectfully submitted.

SENATOR GORDON

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 8, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Judah:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 883, 884, 904, 924, 925, and 956 of the Fish and Game Code, relating to the use of nets in Monterey Bay.

Respectfully submitted.

SENATOR JUDAH

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 8, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Hatfield:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to make an appropriation to the Agricultural Research Study Committee, to take effect immediately.

Respectfully submitted.

SENATOR HATFIELD

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 8, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time:

Senate Bill No. 1554: By Senator Gordon—An act relating to the solicitation of individual or group hospitalization, surgical and medical care programs for members or potential members of non-profit agricultural or horticultural organizations.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 1555: By Senator Judah—An act to amend Sections 883, 884, 904, 924, 925, and 956 of the Fish and Game Code, relating to the use of nets.

Referred to Committee on Fish and Game.

Senate Bill No. 1556: By Senator Hatfield—An act to make an appropriation to the Agricultural Research Study Committee, to take effect immediately.

Referred to Committee on Finance.

REQUEST FOR UNANIMOUS CONSENT

Senator Quinn asked for, and was granted, unanimous consent to have Assembly Bill No. 2263 passed on file, and that it retain its place on file.

RECESS

At 4.20 p.m., on motion of Senator Powers, the Senate recessed until 4.25 p.m.

REASSEMBLED

At 4.25 p.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the Desk

REPORTS OF STANDING COMMITTEES

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 315
Senate Bill No. 347
Senate Bill No. 454
Senate Bill No. 455
Senate Bill No. 482
Senate Bill No. 805
Senate Bill No. 806
Senate Bill No. 808

Senate Bill No. 809
Senate Bill No. 810
Senate Bill No. 811
Senate Bill No. 812
Senate Bill No. 813
Senate Bill No. 814
Senate Bill No. 815
Senate Bill No. 816

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

COLLIER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 329
Senate Bill No. 990

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

COLLIER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 486
Senate Bill No. 804
Senate Bill No. 807

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

COLLIER, Chairman

Above reported bills ordered to second reading.

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:
Senate Bill No. 1329

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

BROWN, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:
Senate Joint Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 6; absent 3.

BROWN, Vice Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Bill No. 1348

Senate Bill No. 1349

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

BROWN, Vice Chairman

Above reported bills ordered to second reading.

Committee on Education

SENATE CHAMBER, SACRAMENTO, April 3, 1947

MR. PRESIDENT: The Committee on Education; to which was referred:

Senate Bill No. 1213

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

SLATER, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 908

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 385

Assembly Bill No. 1416

Assembly Bill No. 224

Assembly Bill No. 2016

Assembly Bill No. 228

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 8; absent 4.

KEATING, Chairman

Above reported bills ordered to second reading.

Committee on Transportation

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 913

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 13; committee vote: Ayes 7; noes 1; absent 5.

MCCORMACK, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred:
Senate Bill No. 917

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 13; committee vote: Ayes 8; absent 5.

MCCORMACK, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred:
Assembly Bill No. 157

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 13; committee vote: Ayes 7; absent 6.

MCCORMACK, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1548

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

MOTION BY SENATOR BROWN

Senator Brown moved that the following future citizens of the State of California be thanked for their faithful services rendered to the Senate as Pages to the Senate during Easter Week:

John William Ax, Robert Bromley, Bruce Busch, James Busch, Murray Cragin, Michael Desmond, Windel Flint, Edward Henderson, Tom McCormack, Jack Quinn, Pete Roland, Richard Salsman, Robert Sweeney, and Philip Sheehan; and

Tom Quinn, Jr., as Assistant Amending Clerk.

Motion carried.

ADJOURNMENT

At 4.32 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Wednesday, April 9, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FORTIETH LEGISLATIVE DAY

NINETY-FOURTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, April 9, 1947

The Senate met at 1.30 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—33.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Breed, due to illness.

Senator Hulse, on motion of Senator Breed, due to illness.

Senator Collier, on motion of Senator Breed, due to illness.

Senator Deuel, on motion of Senator Cunningham, due to illness.

Senator Weybret, on motion of Senator Breed, due to illness.

Senator Desmond, on motion of Senator Keating, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Reverend Miller M. B. Sale, Old St. Paul's, and Mr. and Mrs. Milo Passoloequa of Benicia.

On request of Senator DeLap, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Francis L. Payne of North Sacramento.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. C. C. Nordal of Hemet.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Korace Gray of San Francisco.

On request of Senators Crittenden and Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. A. J. Ottem of Sacramento.

On request of Senators Slater and Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. William J. Harp, Assistant Chief of Patrol of the Fish and Game Commission of Santa Rosa.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Michael Merkin of Los Angeles.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Katherine Thompson Brown, of Stockton, and the following members of the League of Women Voters, of Stockton: Mrs. H. E. Dike, Mrs. Gardner Dike, Mrs. Mae LeDue, Miss Katherine Brown, and Mrs. C. A. Broddus.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Allen Beach of Visalia.

On request of Senators Keating and Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Helen Lawson of St. Helena.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the League of Women Voters of Napa County: Mrs. James B. Wyman, Mrs. William E. Wentworth, Mrs. R. J. LaRue, Mrs. Keith Bissell, Mrs. Franklin Barrow, Mrs. Marvin McCormick, Mrs. Dan Gardner, Miss Katherine Cox, Mrs. George M. Dimock, Mrs. Leslie Anderson, Mrs. Robert Boman, and Mrs. Lawson.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Harry Walkatte and Mr. Lloyd Grebriel of Oakland.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 33

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 121
Assembly Bill No. 249
Assembly Bill No. 575
Assembly Bill No. 633
Assembly Bill No. 740
Assembly Bill No. 859

Assembly Bill No. 1075
Assembly Bill No. 1129
Assembly Bill No. 1130
Assembly Bill No. 1419
Assembly Bill No. 1420
Assembly Bill No. 1425

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 121—An act to amend the Elections Code of the State of California by adding thereto a new section to be numbered 8558 and to amend Sections 8572 and 8652 thereof, all relating to the costs of election contests.

Referred to Committee on Elections.

Assembly Bill No. 249—An act to add Section 3831 to the Elections Code, relating to numerical and alphabetical designation of measures submitted to voters.

Referred to Committee on Elections.

Assembly Bill No. 575—An act to amend Section 21652 of the Water Code, relating to general elections.

Referred to Committee on Water Resources.

Assembly Bill No. 633—An act to amend Section 571.5 of the Elections Code, relating to division of electors in a precinct into groups.

Referred to Committee on Elections.

Assembly Bill No. 740—An act to amend Section 450.5 of the Fish and Game Code, relating to ocean fishing with spear.

Referred to Committee on Fish and Game.

Assembly Bill No. 859—An act to amend Sections 51 and 52 of the Public Utilities Act, defining the powers of the Public Utilities Commission relating to certain transactions of public utilities.

Referred to Committee on Public Utilities.

Assembly Bill No. 1075—An act to add Section 8006.1 to the Education Code, relating to the maintenance by school districts of classes in state institutions.

Referred to Committee on Education.

Assembly Bill No. 1129—An act to repeal Article 1A, comprising Section 35, of Chapter 1 of Division 1 of the Agricultural Code, relating to temporary provisions, conditions, standards, or prices.

Referred to Committee on Agriculture.

Assembly Bill No. 1130—An act to amend Sections 53 and 57 of the Agricultural Code, relating to the qualification and appointment of deputy agricultural commissioners and agricultural inspectors.

Referred to Committee on Agriculture.

Assembly Bill No. 1419—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to orphans and other needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 1420—An act to amend Section 1521 of the Welfare and Institutions Code, relating to aid to orphans and other needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 1425—An act to add Sections 3047.3 and 3447.3 to the Welfare and Institutions Code, relating to property qualifications for aid to the blind.

Referred to Committee on Social Welfare.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 17

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 70

Senate Bill No. 71

Senate Bill No. 72

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 87

Senate Bill No. 416

Senate Bill No. 192

Senate Bill No. 1047

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 195

Senate Bill No. 988

Senate Bill No. 305

Senate Bill No. 340

Senate Bill No. 372

And reports the same correctly re-engrossed.

POWERS, Chairman

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Assembly Bill No. 617

Assembly Bill No. 34

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

GORDON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:
Assembly Concurrent Resolution No. 52

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 8; absent 3.

GORDON, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:
Assembly Bill No. 781

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; noes 1; absent 3.

GORDON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:
Senate Bill No. 723

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

GORDON, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:
Senate Bill No. 1131

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 6; absent 5.

RICH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:
Senate Bill No. 941

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 6; absent 5.

RICH, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:
Senate Bill No. 1553

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Joint Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Rules, to which were referred:

Senate Resolution No. 71

Senate Concurrent Resolution No. 30

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolutions ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor, dated April 2, 1947, appointing

HARRY LUTGENS, as member of the State Personnel Board, vice Archibald B. Tinning, resigned, for the term prescribed by law, ending January 15, 1951;

FORD A. CHATTERS, as member of the State Personnel Board, vice Harry Lutgens, term expired, for the term prescribed by law, ending January 15, 1957;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Mayo moved that the Senate confirm and consent to the appointment of Harry Lutgens and Ford A. Chatters as members of the State Personnel Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Harry Lutgens and Ford A. Chatters?"

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator DeLap moved a call of the Senate.

Motion carried. Time 1.45 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

REQUEST FOR UNANIMOUS CONSENT

Senator Salsman asked for, and was granted, unanimous consent to take up Senate Bill No. 1553, at this time, for consideration.

CONSIDERATION OF SENATE BILL NO. 1553

Senate Bill No. 1553—An act making an appropriation for expenses of Members of the Senate pursuant to Section 352 of the Political Code.

Bill read second time, ordered engrossed, and to third reading.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 531—An act to amend Section 185 of the Education Code, relating to traveling expenses of officers and employees of the Department of Education.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 837—An act to add Chapter 8 to Division 10 of the Education Code, relating to state cerebral palsy schools.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 840—An act to amend the heading of Article 12 of Chapter 7 of Division 4 of the Education Code and to amend Sections 9176 and 9178 of said code, all relating to federal programs.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1210—An act to repeal Section 16075 and add new Section 16075 to the Education Code, relating to membership in any secret fraternity, sorority or club.

Passed on file, at the request of Senator O'Gara.

Senate Bill No. 276—An act to add Article 9, comprising Sections 20221 and 20222 to Chapter 1 of Division 10 of the Education Code, relating to the University of California Police.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 9, of the printed bill, following "police", strike out "force as such", and strike out lines 10, 11, 12, 13, 14, 15, 16, and 17, and insert "department as such police department is now or may hereafter be constituted. Persons employed and compensated as members of said police department, when so appointed and duly sworn, are peace officers."

Amendment No. 2

On page 1 of the printed bill, strike out lines 19 and 20, and insert "police department shall be supplied with, and authorized to wear, a badge bearing the words "University of California Police." "

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 281—An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and

authorizing the use of the Tehachapi property as an adjunct of the California Vocational Institution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In the title of the printed bill, strike out lines 8 and 9, and insert "disposition of the Tehachapi property."

Amendment No. 2

On page 1 of the printed bill, strike out lines 17 to 20, inclusive; and on page 2, strike out lines 1 to 7, inclusive, and insert "pied by the California Institution for Women shall be sold by the Director of Finance pursuant to Section 13103 of the Government Code for the best price obtainable, and the proceeds thereof deposited in the General Fund."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 631—An act to amend Sections 12 and 16 of the Construction and Employment Act, relating to county road or highway and sewage facility projects.

Bill read second time.

Motion to Amend

Senator Dilworth moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on February 4, 1947, between "projects" and the period, insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, strike out lines 9 to 11, inclusive, and insert "for county road or highway projects undertaken by counties or on which moneys have been paid by counties subsequent to February 13, 1946."

Amendment No. 3

On page 2 of said bill, strike out lines 3 and 4, and insert "moneys paid by local agencies subsequent to February 13, 1946, for".

Amendment No. 4

On page 2 of said bill, after line 27, insert

"SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows: Through a misunderstanding of the rules of the State Allocation Board and of the effect of existing provisions of the Construction and Employment Act which require prior approval of projects, counties have suffered denial of their applications for state funds for vitally needed road and highway projects. Cities have suffered denials with respect to sewage facility projects. The amendments made by this act are necessary in order to make possible state participation in these projects by subsequent approval thereof, the particular projects being immediately necessary as declared in Sections 12 and 16 of the Construction and Employment Act. A failure to make this clarification of the statute immediately will result in the inability to undertake these projects or to be reimbursed for projects already undertaken, thus retarding the improvement of city sewage facilities and county roads and highways."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 746—An act to amend Section 12000 of the Government Code, relating to the salary of the Governor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 971—An act to amend Section 10 of the Political Code, relating to holidays.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1439—An act to amend Section 1 of "An act authorizing and empowering any county, city and county, or city in the State of California to donate, convey, and grant to the State of California, or to district agricultural associations thereof, any real property owned, held and used by it for fair ground and exposition purposes, or which it may hereafter acquire, hold and use for such purposes," approved July 11, 1935, relating to powers of counties, cities and counties, and cities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "public".

Amendment No. 2

On page 1, line 10, of said bill, after "by", insert "or donated or dedicated to".

Amendment No. 3

On page 1, line 11, of said bill, after "exposition", insert ", park, playground, or other recreational".

Amendment No. 4

On page 1, line 12, of said bill, after "use", insert "or receive by donation or dedication".

Amendment No. 5

On page 1, line 14, of said bill, strike out the period, and insert ", but subject to any covenants, conditions and restrictions as to the use of said land and buildings, existing at the date of transfer hereunder, under the terms of any such donation or dedication."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 315—An act to amend the heading of Chapter 1 of Division 4 and Sections 3300 and 3301 of the Health and Safety Code, to amend and renumber Section 3300a thereof to be Section 3300.5, to repeal Sections 3100 and 3101 and Chapter 3 of Division 4 thereof, comprising Sections 3325 and 3326, to add Sections 3301.5 and 3301.6 thereto, and to amend and renumber the heading of Chapter 4 of Division 4 thereof to be Chapter 3 thereof, relating to state grants-in-aid to counties, cities and counties, and cities for the treatment and care of persons suffering from tuberculosis, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 347—An act to add Section 13397.1 to the Health and Safety Code, relating to solvents in clothes cleaning establishments.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 454—An act to add Section 6407 to the Health and Safety Code, relating to sanitary districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 455—An act to validate the formation, organization and existence of sanitary districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 482—An act to add Chapter 11, comprising Sections 6910 to 6913 to Division 6, Part 1 of the Health and Safety Code, to provide for the exclusion of a portion of a sanitary district under certain conditions.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 805—An act to add Chapter 7 to Part 1 of Division 5 of the Health and Safety Code, comprising Sections 4010 to 4038, inclusive, and to add Section 40010 thereto, thereby consolidating and revising the law relating to water for domestic purposes and sanitary water systems, and repealing acts and parts of acts specified therein.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 806—An act to add Chapter 5.5, comprising Sections 2425 and 2426, inclusive, to Division 3 of the Health and Safety Code, and to add Section 40009 thereto, thereby consolidating and revising the law relating to mosquito control, and repealing acts and parts of acts specified therein.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 808—An act to add Part 2 of Division 15 to the Health and Safety Code, comprising Sections 21400 to 21409, inclusive, and to add Section 40012 thereto, thereby consolidating and revising the law relating to examinations of pregnant and recently delivered women for syphilis, and repealing acts and parts of acts specified therein.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 809—An act to repeal "An act to regulate the sale of eggs that have been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering the same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof," approved June 4, 1915, to repeal an act entitled "An act to regulate the sale of food and drink, the ingredients of which are in part composed of eggs shipped or imported into the State of California, from any point or place outside of the United States, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food or drink, and fixing penalties for the violation of the same or of any of the provisions thereof," approved June 4, 1915, and to repeal an act entitled "An act to regulate the placing of cards in all packages or wrappers enclosing manufacturers' food products, before being sold or offered for sale, which are composed in part of eggs shipped or imported into the State of California, from any point or place outside of the United States, and fixing

penalties for the violation of the same or of any of the provisions thereof," approved June 4, 1915, all relating to the sale of eggs and egg products.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 810—An act to repeal an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs and making an appropriation therefor," approved March 11, 1907, and an act entitled "An act to provide against the adulteration of food and drugs," approved March 26, 1895, relating to the adulteration of food and drugs.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 811—An act to repeal an act entitled "An act to prohibit within certain limits the mooring and anchoring of houseboats in rivers and streams, and the maintaining of privies, vaults, cesspools, sewer pipes and conduits on the banks of rivers and streams, and providing for punishment for violation thereof, declaring such acts to be public nuisances, and providing for the abatement of such nuisances," approved March 6, 1909.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 812—An act to add Chapter 10, comprising Sections 28500 to 28509, to Division 21 of the Health and Safety Code, and to add Section 40018 thereto, thereby consolidating and revising the law relating to the sale and use of sulphur containing arsenic, and repealing acts and parts of acts specified therein.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 813—An act to add Chapter 8, comprising Sections 28360 to 28455, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40016 thereto, thereby consolidating and revising the law relating to canneries, and repealing acts and parts of acts specified therein.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 814—An act to add Chapter 9, comprising Sections 28475 to 28488, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40017 thereto, thereby consolidating and revising the law relating to the manufacture, sale and use of olive oil, and repealing acts and parts of acts specified therein.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 815—An act to add Part 1 of Division 15 to the Health and Safety Code, comprising Sections 21000 to 21386, inclusive, and to add Section 40011 thereto, thereby consolidating and revising the law relating to the care and control of venereal disease, and repealing acts and parts of acts specified therein.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 816—An act to add Chapter 6, comprising Sections 28190 to 28254, inclusive, to Division 21 of the Health and Safety

Code, and to add Section 40014 thereto, thereby consolidating and revising the law relating to bakeries and bakery products, and repealing acts and parts of acts specified therein.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 329—An act to amend Section 8961 of the Health and Safety Code, relating to the permissible uses of cemeteries maintained by public cemetery districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 8961 of", and insert "add Section 8961.3 to".

Amendment No. 2

On page 1, line 1, of said bill, strike out "8961 of", and insert "8961.3 is added to".

Amendment No. 3

On page 1, line 2, of said bill, strike out "is amended".

Amendment No. 4

On page 1 of said bill, strike out lines 3 and 4, and insert "8961.3. The district may acquire a mausoleum or mausoleums which have been constructed more than 10 years prior to May 1, 1947, and to such acquisition thereof and may maintain such mausoleum or mausoleums for the burial of the dead above the ground.

SEC. 2. Section 8961.6 is added to said code, to read:

8961.6. With the approval of the board, private persons may build private family vaults in a district cemetery, if the entire cost of construction of such vaults is paid by, and the vaults are used exclusively for the family of, the owner of the vaults. Such vaults may not be resold."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

Senate Bill No. 990—An act to add Part 4 to Division 5 of the Health and Safety Code and Chapter 3 to Division 1 of the Water Code, to renumber Sections 5439 and 5445 of the Health and Safety Code, and to repeal Articles 2 and 3 of Chapter 6 of Part 3 of Division 5 of the Health and Safety Code, relating to waste disposal, liquid, gaseous, and solid, including but not limited to the protection of the quality of waters of the State, requiring permits therefor, providing for the administration and investigation thereof by the State Department of Public Health, the Department of Public Works, and the Department of Natural Resources, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

In line 2 of the title of the printed bill, after "Code" at the beginning of the line, insert a comma.

Amendment No. 2

On page 3 of the printed bill, strike out line 36, and insert
"CHAPTER 2. PERMITS AND PROCEEDINGS THEREFOR
Article 1. Requirements for Permits".

Amendment No. 3

On page 3, lines 40 and 41, of the printed bill, strike out "of the waters of the State", and insert "source of water supply".

Amendment No. 4

On page 3, lines 43 and 44, of the printed bill, strike out "which are used, or are suitable for use, for any beneficial purpose".

Amendment No. 5

On page 4 of the printed bill, strike out lines 6 and 7, and insert "commercial establishments, unless a petition in writing is filed with the state department by a state agency requesting that a".

Amendment No. 6

On page 4, line 13, of the printed bill, strike out "except if", and insert "unless"; and strike out line 14, and insert "writing is filed with the state department by a state agency request".

Amendment No. 7

On page 4 of the printed bill, after line 15, insert
"Article 2. Proceedings for Permits".

Amendment No. 8

On page 4, line 39, of the printed bill, after "supply", insert a comma; strike out the balance of the line; and in line 40, strike out "made suitable for use for any beneficial purpose".

Amendment No. 9

On page 5 of the printed bill, strike out line 12, and insert "of granting the permit on use of water for".

Amendment No. 10

On page 5 of the printed bill, strike out line 15, and insert "ing the petition on use of water for agricul-".

Amendment No. 11

On page 5, line 18, of the printed bill, strike out "upon", and insert "on".

Amendment No. 12

On page 5, line 25, of the printed bill, strike out "protestant", and insert "protestant".

Amendment No. 13

On page 5 of the printed bill, strike out line 39, and insert
"5971. Terms and conditions relating to the effect of granting the petition on use of water".

Amendment No. 14

On page 5 of the printed bill, strike out lines 42 and 43, and insert
"5972. Terms and conditions relating to the effect of granting the petition on fish and wildlife shall be prescribed".

Amendment No. 15

On page 6, line 4, of the printed bill, after "for", insert "the".

Amendment No. 16

On page 6, line 32, of the printed bill, after "part.", strike out "or", and insert "of".

Amendment No. 17

On page 7, line 3, of the printed bill, strike out "suit of the dis-"; and strike out all of lines 4 and 5, and insert "public interest."

Amendment No. 18

On page 7, line 7, of the printed bill, strike out "4", and insert "3".

Amendment No. 19

On page 7, line 25, of the printed bill, at the beginning of the line, insert "399."; and strike out "content", and insert "the context".

Amendment No. 20

On page 7 of the printed bill, strike out line 29, and insert "400. "State agency" means any city, county, city and county, political subdivision,".

Amendment No. 21

On page 7 of the printed bill, strike out the period at the end of line 39, and insert a comma and "and also includes garbage as defined in Section 4400 of the Health and Safety Code."

Amendment No. 22

On page 8, line 22, of the printed bill, insert a period after "State"; strike out the balance of the line; and strike out all of line 23.

Amendment No. 23

On page 8, line 48, of the printed bill, strike out "of such source of water supply", and insert "thereof".

Amendment No. 24

On page 9 of the printed bill, strike out lines 7 and 8, and insert "or may contaminate any source of water supply, and in making".

Amendment No. 25

On page 9, line 11, of the printed bill, strike out "Division 2", and insert "Division 3".

Amendment No. 26

On page 9, line 18, of the printed bill, after "copy of", insert "any".

Amendment No. 27

On page 9, line 32, of the printed bill, strike out "1", and insert "2".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

Senate Bill No. 486—An act to amend Sections 29004 and 29022, and to add Section 29031 to the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", and to add Section", and insert "of, and to add Sections 29030 and".

Amendment No. 2

In line 2 of the title of said bill, between "to" and "the", insert a comma.

Amendment No. 3

On page 1, line 1, of said bill, strike out "Safety", and insert "Safety".

Amendment No. 4

On page 1 of said bill, between lines 20 and 21, insert

"Sec. 3. Section 29030 is added to said code, to read:

29030. Every person who forges or increases the quantity of dangerous drugs in any prescription or who issues a prescription bearing a forged or fictitious signature for any dangerous drug as defined herein, or who obtains any dangerous drug by any forged, fictitious, or altered prescription, or who has in possession any dangerous drug secured by such forged, fictitious, or altered prescription, shall for the first offense be punished by imprisonment in the county jail for not less than six months nor more than one year, or in the state prison for not more than six years, and for each subsequent offense shall be imprisoned in the state prison for not more than 10 years."

Amendment No. 5

On page 1, line 21, of said bill, strike out "Sec. 3.", and insert "Sec. 4."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 804—An act to add Chapter 7, comprising Sections 28280 to 28345, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40015 thereto, thereby consolidating and revising the law relating to sanitation in the production, handling, storage and sale of food, including food production establishments, food containers and food licensing, and repealing acts and parts of acts specified therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "sidewalks", and insert "side walls".

Amendment No. 2

On page 3, line 37, of said bill, strike out "chick-", and insert "chicken".

Amendment No. 3

On page 6 of said bill, strike out line 29.

Amendment No. 4

On page 6, line 31, of said bill, strike out "28340", and insert "28339".

Amendment No. 5

On page 6, line 32, of said bill, strike out "chapter", and insert "article".

Amendment No. 6

On page 6, line 34, of said bill, strike out "chapter", and insert "article".

Amendment No. 7

On page 6, line 36, of said bill, strike out "6", and insert "5".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 807—An act to add Chapter 5, comprising Sections 28110 to 28160, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40013 thereto, thereby consolidating and revising the law relating to cold storage, including refrigerating warehouses and food kept or preserved therein, and repealing acts and parts of acts specified therein.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Safety:

Amendment No. 1

On page 4, line 34, of the printed bill, strike out "relations", and insert "regulations".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1329—An act to amend Section 6816 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 1

On page 1, line 15, of the printed bill, strike out the words beginning with "for" in line 15 to "State" in line 17.

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1348—An act to amend Section 5014 of the Public Resources Code, relating to the appropriation of moneys in the State Beach Fund.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1349—An act to amend Section 5014.1 of the Public Resources Code, relating to appropriations from the State Park Fund.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1213—An act to add Section 18721.1 to the Education Code, relating to the sale of personal property.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 908—An act relating to publicly owned and operated communication facilities, creating a California State Communications Board, defining its powers and duties, and the duties of other state officials with relation thereto, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 2, line 30, of the printed bill, insert "Sec. 7".

Amendment No. 2

On page 3, line 39, of the printed bill, following "the sum of", insert "Forty-seven thousand two hundred thirty-five (\$47,235)".

Amendment No. 3

On page 3, line 46, of the printed bill, strike out the period following "State", and insert "; and nothing in this act shall be construed as conferring upon the Division of Communications or the Communications Board control of programs or broadcasts intended for the general public."

Amendments read, and adopted.

Passed on file, at the request of Senator McBride.

Senate Bill No. 385—An act to amend Section 573 of the Probate Code, relating to the power and duties of executors and administrators of estates in probate.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 913—An act to add Sections 30204.1, 30204.2, 30204.3, 30204.4, 30204.5, and 30357 to the Streets and Highways Code, relating to additional toll bridges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "amend Section 30204 and to".

Amendment No. 2

In line 3 of the title of said bill, after "bridges", insert "and other toll highway crossings".

Amendment No. 3

On page 1 of said bill, before line 1, insert

"SECTION 1. Section 30204 of the Streets and Highways Code is amended to read:

30204. The issuance of bonds for the acquisition or construction of more than one toll bridge or other highway crossing, *or for the acquisition or construction of an additional toll bridge or other highway crossing and the retiring of any outstanding bonds secured by a pledge of the tolls and revenues from an existing toll bridge*, may be included in a single authorization."

Amendment No. 4

On page 1 of said bill, strike out lines 1 and 2, and insert

"SEC. 2. Section 30204.1 is added to said code, to read:"

Amendment No. 5

On page 1, line 3, of said bill, strike out "of California".

Amendment No. 6

On page 1, line 5, of said bill, strike out "hereof".

Amendment No. 7

On page 1, line 10, of said bill, strike out "said", and insert "the".

Amendment No. 8

On page 1, line 14, of said bill, strike out "such", and insert "the".

Amendment No. 9

On page 1, line 23, of said bill, strike out "such", and insert "the".

Amendment No. 10

On page 1, line 27, of said bill, strike out "such", and insert "the".

Amendment No. 11

On page 2, line 2, of said bill, following "retirement", insert a comma.

Amendment No. 12

On page 2, line 3, of said bill, strike out "such".

Amendment No. 13

On page 2, line 5, of said bill, strike out "said outstanding bond", and insert "the outstanding bonds".

Amendment No. 14

On page 2, line 6, of said bill, strike out "said", and insert "the".

Amendment No. 15

On page 2 of said bill, strike out line 8, and insert "the additional revenue bonds from the date of sale to".

Amendment No. 16

On page 2, line 9, of said bill, following "bonds", insert a comma.

Amendment No. 17

On page 2, line 10, of said bill, strike out "such", and insert "the".

Amendment No. 18

On page 2 of said bill, strike out line 12, and insert "call or by agreement with the holders, and also".

Amendment No. 19

On page 2, line 15, of said bill, strike out "such", and insert "the".

Amendment No. 20

On page 2, line 16, of said bill, strike out "such", and insert "the".

Amendment No. 21

On page 2, line 17, of said bill, strike out "such".

Amendment No. 22

On page 2, line 19, of said bill, strike out "such", following "which", and insert "the".

Amendment No. 23

On page 2, line 21, of said bill, strike out "said", and insert "the".

Amendment No. 24

On page 2, line 24, of said bill, strike out "such", and insert "the".

Amendment No. 25

On page 2, line 26, of said bill, strike out "such", and insert "the".

Amendment No. 26

On page 2, line 27, of said bill, strike out "said", and insert "the".

Amendment No. 27

On page 2, line 28, of said bill, strike out "such", and insert "the".

Amendment No. 28

On page 2, line 30, of said bill, strike out "2", and insert "3".

Amendment No. 29

On page 2, line 31, of said bill, strike out "Such", and insert "The".

Amendment No. 30

On page 2, line 34, of said bill, strike out "such", and insert "the".

Amendment No. 31

On page 2, line 36, of said bill, strike out "3", and insert "4".

Amendment No. 32

On page 2 of said bill, strike out line 38, and insert "the use and operation of both the existing bridge and the".

Amendment No. 33

On page 2, line 40, of said bill, strike out "such", and insert "the".

Amendment No. 34

On page 2, line 45, of said bill, strike out "said", and insert "the".

Amendment No. 35

On page 2, line 48, of said bill, strike out "said", and insert "the".

Amendment No. 36

On page 2 of said bill, strike out line 49, and insert "the bonds are redeemed and paid or provision made therefor."

Amendment No. 37

On page 2, line 50, of said bill, strike out "4", and insert "5".

Amendment No. 38

On page 3, line 1, of said bill, strike out "said", and insert "the".

Amendment No. 39

On page 3, line 3, of said bill, strike out "said", and insert "the".

Amendment No. 40

On page 3, line 6, of said bill, strike out "such", and insert "the".

Amendment No. 41

On page 3 of said bill, strike out line 11, and insert "a debt, liability, or obligation of the State."

Amendment No. 42

On page 3, line 12, of said bill, strike out "5", and insert "6".

Amendment No. 43

On page 3 of said bill, strike out line 13, and insert "30204.5. If the existing bridge is a state highway, the".

Amendment No. 44

On page 3, line 16, of said bill, strike out "6", and insert "7".

Amendment No. 45

On page 3, line 21, of said bill, strike out "of California".

Amendment No. 46

On page 3, line 23, of said bill, strike out "such", and insert "the".

Amendment No. 47

On page 3, line 26, of said bill, strike out "such", and insert "the".

Amendment No. 48

On page 3, line 27, of said bill, following "concurrently", insert a comma.

Amendment No. 49

On page 3, line 28, of said bill, strike out "such", and insert "the".

Amendment No. 50

On page 3, line 30, of said bill, strike out "7", and insert "8".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 917—An act to amend Section 30605 of the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge. Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 30605 of", and insert "Sections 30605 and 30606 of and to add Section 30608 to".

Amendment No. 2

On page 1, line 15, of said bill, strike out "; provided," and insert ", except".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, following line 23, insert

"SEC. 2. Section 30606 of said code is amended to read:

30606. The department shall make expenditures for the operation and maintenance of the toll bridge and approaches and for the cost of insurance thereof, and the cost of complying with any order of any governmental agency or authority from money accruing and to accrue in the state highway [maintenance] fund available for the widening, resurfacing, and reconstruction of state highways for the group of counties designated as Group No. 1 in Section 187, or such costs of operation and maintenance may be paid from any other fund or funds which are made available for such purposes, *except that whenever, hereafter, the authority provides for the payment of the cost of the operation of the bridge and any additional bridge or other highway crossing, together with the cost of insurance thereon, including insurance against loss of tolls or other revenues, from the tolls and revenues of the bridge and*

such additional bridge or other crossing as provided in Section 30605, the expenditures provided for in this section shall be made only for the purpose of the physical maintenance of the bridge and the additional bridge or other crossing.

SEC. 3. Section 30608 is added to said code, to read:

30608. Whenever, after the effective date of this section, any bonds secured by a pledge of the tolls and revenues of the toll bridge are refunded or retired, in the total then outstanding, the authority shall include in the proceedings for any new issue of bonds for such purpose bonds in an amount fully sufficient to repay to the State all money appropriated by Chapter 5, Statutes of 1933, and expended from the State Highway Fund for the acquisition and construction of the highway approaches leading to and upon the toll bridge as described in Chapter 9, Statutes of 1933, not to exceed, however, the sum of six million two hundred eighty-eight thousand five hundred fifty dollars and forty-one cents (\$6,288,550.41). Repayment shall be made to the State from the proceeds of the sale of the bonds and all reimbursements so made shall be credited to the State Highway Fund as provided in Section 30607."

Amendment No. 4

On page 1, line 24, of said bill, strike out "2", and insert "4".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1548—An act to amend Section 9100 of the Government Code, relating to legislative offices.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 9100", and insert "Sections 9100, 9101, and 9103".

Amendment No. 2

On page 1, lines 7 and 8, of said bill, strike out "in a state building".

Amendment No. 3

On page 1 of said bill, after line 9, insert

"SEC. 2. Section 9101 of said code is amended to read:

9101. The Legislative Office in Los Angeles shall be under the management and control of the Senator elected from the County of Los Angeles, the Legislative Office in San Francisco shall be under the management and control of the Senator elected from the City and County of San Francisco, *the Legislative Office in San Diego shall be under the management and control of the Senator elected from the County of San Diego*, and the Legislative Office in Alameda County shall be under the management and control of the Senator elected from the County of Alameda.

SEC. 3. Section 9103 of said code is amended to read:

9103. The Department of Finance shall provide suitable office space in the State Building in Los Angeles and in the State Building in San Francisco *and in an appropriate building in San Diego County* and in a state building in Alameda County for the offices provided for in this article, and shall provide for the maintenance and upkeep of the same."

Amendment No. 4

In line 2 of the title of said bill, after "offices", insert "and making an appropriation".

Amendment No. 5

On page 1 of said bill, following line 9, insert

"SEC. 2. Out of any money in the State Treasury not otherwise appropriated, the sum of four thousand one hundred ten dollars (\$4,110) is hereby appropriated for support of Legislative Office at San Diego to be expended during the 1947-1948 Fiscal Year."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2654—An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in

territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2570—An act to amend Section 8 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to the availability of the appropriation made thereby, declaring the urgency thereof and declaring that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In lines 7 and 8 of the title of the printed bill, as amended in the Assembly on March 26, 1947, strike out "relating to the availability of the appropriation made thereby" and insert "making an appropriation therefor and relating to the period of availability of moneys thereby or heretofore appropriated therefor".

Amendment No. 2

On page 2 of said bill, strike out lines 9 to 13, inclusive, and insert "A sum of money equal to the amount (of the appropriation heretofore made by this act, augmented by the appropriation made by Chapter 1 of the Fifty-sixth (Second Extraordinary) Session) which reverted to the General Fund on or about April 6, 1947, is hereby appropriated out of moneys in the State Treasury not otherwise appropriated, in augmentation of the appropriation heretofore made by this act, to carry out the provisions of this act. Any portion of the moneys hereby or heretofore appropriated for allocation to local agencies which is not obligated for expenditure by the State or for which application is not made on or before April 6, 1948, shall revert to the General Fund in the".

Amendment No. 3

On page 2 of said bill, strike out lines 34 and 35, and insert "Certain funds heretofore made available for temporary and emergency housing for veterans and families of servicemen reverted to the General Fund on the".

Amendment No. 4

On page 2, lines 38 and 39, of said bill, strike out "said appropriation will remain available without", and insert "funds will be available without prolonged".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Assembly Bill No. 224—An act to amend Section 1557 of the Penal Code, relating to fugitives from justice.

Bill read second time, and ordered to third reading.

Assembly Bill No. 228—An act to amend Section 3 of an act entitled "An act creating an additional district court of appeal known as the District Court of Appeal for the Fourth Appellate District, redividing the State into appellate districts, providing for the maintenance and operation of said court, and making an appropriation therefor," approved June 5, 1929, relating to sessions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1416—An act to amend Section 785 of the Probate Code, relating to probate sales.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2016—An act to add Article 9 to Chapter 1, Division 10 of the Education Code, relating to the University of California.

Bill read second time, and ordered to third reading.

Assembly Bill No. 157—An act to amend Sections 164, 181, 222 of, to repeal Section 146.5 of, and to add Section 182.1 to, the Vehicle Code, relating to the registration and transfers of registration of vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 19, 1947, strike out "181, 222"; and also, in said line 1 of the title, strike out "to repeal Section".

Amendment No. 2

In line 2 of the title of said bill, strike out "146.5 of,".

Amendment No. 3

On page 1, line 12, of said bill, after "year," insert "or upon a potential registration card issued near the close of the preceding year,".

Amendment No. 4

On page 2 of said bill, at the end of line 7, strike out the period, and insert "or may endorse or authorize the endorsement of a receipt or validation upon a potential registration card issued by the department for use at time of renewal."

The department may authorize an endorsement of a receipt or the validation of a registration card or potential registration card as hereinbefore provided by a person or organization holding a certificate of authority issued under the provisions of Part 5 of Division 2 of the Insurance Code."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 1.55 p.m., on motion of Senator DeLap, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the appointment of Harry Lutgens and Ford A. Chatters confirmed by the following vote:

AYES—Senators Breed, Brown, Busch, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—28.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Harry Lutgens and Ford A. Chatters, as members of the State Personnel Board.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 782—An act to repeal Sections 24a, 120, 121, 122, 123, 123.1, 140, 141, and 142 of, to amend Section 124 of, and to add Sections 120, 120.1, 120.2, 120.3, 120.4, 120.5, 120.6, 120.7, 121, 121.1, 121.2, 121.3, 121.4, 121.5, 122, 122.1, 122.2, 122.3, 122.4, 122.5, 122.6, 122.7, 122.8, 123, 123.1, and 123.2, to the Bank Act, relating to the qualifications, appointment, term, compensation and duties of the Superintendent of Banks, the duties, employees, records, and expenses of the State Banking Department, and the collection and disposition of the State Banking Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Cunningham, DeLap, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—25.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 305—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—30.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—28.
NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 195—An act to add Sections 820.5 and 987.01 to the Military and Veterans Code, relating to the rate of interest on veterans' farm and home purchases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, and Williams—28.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 70—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 71—An act to add Section 261c to the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 72—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1047—An act to amend Section 3721 of the Political Code, relating to assessment and taxation of property affected by the organization, formation and incorporation of sanitary districts or any change of boundaries thereof or any consolidation of such districts, declaring the urgency thereof and providing that it shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft,

Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 87—An act to add Section 7e to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the office of secretary and jury commissioner in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—29.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 17—Relative to the development of deposits of mineral ores in the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Williams—30.
NOES—Senator Sutton—1.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 340—An act to amend the Building and Loan Association Act by amending Section 1.01 thereof, relating to definitions, Section 2.06 thereof, relating to merger, consolidation and transfer, Section 3.01 thereof, relating to issuance of shares and stock, Section 3.04 thereof, relating to retirement of free shares, Section 3.07 thereof, relating to dividends on funds invested in shares less than six months, Section 4.01 thereof, relating to guarantee stock, Section 5.01 thereof, relating to investment certificates, Section 5.06 thereof, relating to redemption of investment certificates, Sections 6.01, 6.02, and 6.03 thereof, relating to withdrawals, Section 6.04 thereof, relating to reports while on notice, Section 6.05 thereof, relating to delay in paying withdrawal claims, Section 7.09 thereof, relating to liability of stockholders, Section 8.01 thereof, relating to voting rights, Sections 9.07 and 9.10 thereof, relating to loans, Section 13.17 thereof, relating to assessments for salaries and expenses of the Building and Loan Commissioner and his staff, and Section 15.16 thereof, relating to supervision and control of borrowers' mutual building and loan associations, and repealing Section 5.07 thereof, relating to modification of investment certificates; all relating to building and loan associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, and Watson—28.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 100—An act to amend Section 971 of the Military and Veterans Code, relating to assistance to families of deceased veterans.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Swing, Tenney, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 754—An act to amend Sections 4.4 and 5.1 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Dilworth.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 736

Assembly Bill No. 777

Assembly Bill No. 780

Assembly Bill No. 854

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 736—An act to amend Sections 2897 and 2898 of the Elections Code, relating to death of candidate before an election.

Referred to Committee on Elections.

Assembly Bill No. 777—An act to amend Section 452 of the Fish and Game Code, relating to unlawful possession.

Referred to Committee on Fish and Game.

Assembly Bill No. 780—An act to amend Section 2 of the Fish and Game Code, relating to definitions.

Referred to Committee on Fish and Game.

Assembly Bill No. 854—An act to amend Section 678 of the Elections Code, relating to precinct boards.

Referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, April 7, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Assembly Bill No. 2283

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 8; absent 4.

KEATING, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 327

Senate Bill No. 1345

Senate Bill No. 1330

Senate Bill No. 1346

Senate Bill No. 1344

Senate Bill No. 1347

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

QUINN, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:

Senate Bill No. 781

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 8; absent 3.

GORDON, Chairman

Above reported bill ordered to second reading.

Secretary J. A. Beek at the Desk

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 34: By Senators McCormack and DeLap—Relative to a study and survey of motor vehicle traffic over the Benicia-Martinez Ferry.

Request for Unanimous Consent

Senator McCormack asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 34, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 34

Senate Concurrent Resolution No. 34—Relative to a study and survey of motor vehicle traffic over the Benicia-Martinez Ferry.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

ADJOURNMENT

At 3 p.m., on motion of Senator Keating, the President declared the Senate adjourned until 1.30 p.m., Thursday, April 10, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FORTY-FIRST LEGISLATIVE DAY

NINETY-FIFTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, April 10, 1947

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Delap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—35.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Hulse, on motion of Senator Powers, due to illness.

Senator Collier, on motion of Senator Powers, due to illness.

Senator McBride, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Howard McCuiston, Marion Gerhan, Class Sponsors; Mr. A. F. Milani, Principal; and the following students of the eighth grade of the Tracy Elementary School: Nicholas Alexion, Arthur Alves, Dale Bracken, W. A. Duckworth, Rosalyn Moore, Helen Richardson, Marilyn Samuelson, Bob Sandidge, Jeanne Sattler, Harry Schetter, Charles Selna, James Shaw, Frank Sherwood, Glen Shipley, Patricia Slater, Billy Sutton, Donna Taylor, Naomi Thomas, Mary Tigh, Hazel Titsworth, Joene Toon,

Ilene Toon, Joe Torres, Joan Travins, Donald Tucker, Wilbur Vierra, Maxine Villalovoz, Barbara Walsh, Mary Wasmer, Glen Welch, Robert White, Joan Wiley, Harriet Wilson, Pete Wright, Mildred Yates, Ray Young, Russel Blair, Roberta Doughty, Betty Elms, Mike Erceg, Yvonne Espinol, Margaret Frederickson, Joan Furrer, Charlotte Gyon, Frances Grunewald, Billie Granadas, George Garris, Ray Goodsen, Leo Gentry, Alice Green, Leon Gottberg, Joe Grandinetti, Dominic Giampetro, Kenneth Hooper, Curtis Hutton, Darriel Hayes, Darrel Henderson, George Hovater, Billy Highfill, Corrine James, Billie Jones, John Johnson, Dena Kouretas, Lois Ann Kenner, Marion Leiman, Gayle Koehnen, Leroy Lindsey, Clara Laccource, Frances Kennedy, and Jesse Salas.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Floyd A. Walker of Los Angeles, Mr. David Vincent of Van Nuys, and Christy Walsh of Los Angeles.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. C. T. Sharek, Margaret Mallins, and the following students of the Sonoma Valley High School: Billie Palmore, Norma Aprilanti, Ruth Ballert, Narrie Hoover, Betty Baum, June Kearney, Amelia Avelar, Dorothy Johnston, June Delalay, Bill Nau, Ray Paselk, Carl Gibson, Sonora de Grazia, Erna Eberle, Patricia Lilley, Florence Opisso, Virginia Matteoni, John Neville, Harold Johnson, Amaryllis de Jong, Joyce Meyers, Melvin Coops, Tom Smith, and Norma Hicks.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. H. A. Lynn, Mr. C. O. Reid, Mr. L. P. Alabaster, Mr. George Poaley, and Mr. T. E. Gore of Riverside.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William J. Guthrie, Esq., of San Bernardino.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 732

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 782
Assembly Bill No. 856
Assembly Bill No. 934

Assembly Bill No. 988
Assembly Bill No. 1046
Assembly Bill No. 1639

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 782—An act to amend Sections 422 and 423 of the Probate Code, relating to the administration of estates of decedents.

Referred to Committee on Judiciary.

Assembly Bill No. 856—An act to amend Section 3043 of the Elections Code, relating to nomination papers.

Referred to Committee on Elections.

Assembly Bill No. 934—An act to amend Section 652 of the Elections Code, relating to members of precinct boards.

Referred to Committee on Elections.

Assembly Bill No. 988—An act to amend Section 43 of, and to add Section 658.5 to, the Elections Code, relating to precinct boards and substitutive canvassing and counting boards.

Referred to Committee on Elections.

Assembly Bill No. 1046—An act to amend Section 7968 of the Elections Code, relating to the record of votes cast.

Referred to Committee on Elections.

Assembly Bill No. 1639—An act to add Section 21655.1 to the Water Code, relating to notice of election in irrigation districts.

Referred to Committee on Water Resources.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 57

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 57—Relative to the Hayward Area Chamber of Commerce.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1421
Assembly Bill No. 1823
Assembly Bill No. 2154
Assembly Bill No. 2155
Assembly Bill No. 2160
Assembly Bill No. 2161
Assembly Bill No. 2162

Assembly Bill No. 2163
Assembly Bill No. 2165
Assembly Bill No. 2167
Assembly Bill No. 2169
Assembly Bill No. 2175
Assembly Bill No. 2177

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 1421—An act to add Section 1521.1 to the Welfare and Institutions Code, relating to aid to orphans and other needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 1823—An act to amend Section 3041 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections.

Assembly Bill No. 2154—An act to amend Sections 122 and 2571 of the Elections Code, relating to registration of electors.

Referred to Committee on Elections.

Assembly Bill No. 2155—An act to amend Section 661 of the Elections Code, relating to election officers.

Referred to Committee on Elections.

Assembly Bill No. 2160—An act to amend Sections 1601 and 1701 of the Elections Code, relating to municipal initiative and referendum petitions.

Referred to Committee on Elections.

Assembly Bill No. 2161—An act to amend Section 5553 of the Elections Code, relating to election procedure at the polls.

Referred to Committee on Elections.

Assembly Bill No. 2162—An act to amend Section 2899 of the Elections Code, relating to filing fees of candidates for election.

Referred to Committee on Elections.

Assembly Bill No. 2163—An act to amend Section 10050 of the Elections Code, relating to consolidation of elections.

Referred to Committee on Elections.

Assembly Bill No. 2165—An act to amend Section 45 of the Elections Code, relating to petitions.

Referred to Committee on Elections.

Assembly Bill No. 2167—An act to amend Section 9761 of the Elections Code, relating to elections.

Referred to Committee on Elections.

Assembly Bill No. 2169—An act to amend Section 10501 of the Elections Code, relating to elections.

Referred to Committee on Elections.

Assembly Bill No. 2175—An act to add Section 7936 to the Elections Code, relating to canvass of votes cast at a general election.

Referred to Committee on Elections.

Assembly Bill No. 2177—An act to amend Section 3931 of the Elections Code, relating to order of names on ballots.

Referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 315	Senate Bill No. 811
Senate Bill No. 347	Senate Bill No. 812
Senate Bill No. 385	Senate Bill No. 813
Senate Bill No. 454	Senate Bill No. 814
Senate Bill No. 455	Senate Bill No. 815
Senate Bill No. 482	Senate Bill No. 816
Senate Bill No. 531	Senate Bill No. 837
Senate Bill No. 746	Senate Bill No. 840
Senate Bill No. 805	Senate Bill No. 971
Senate Bill No. 806	Senate Bill No. 1213
Senate Bill No. 808	Senate Bill No. 1348
Senate Bill No. 809	Senate Bill No. 1349
Senate Bill No. 810	Senate Bill No. 1553

Senate Joint Resolution No. 16

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 276	Senate Bill No. 913
Senate Bill No. 486	Senate Bill No. 917
Senate Bill No. 631	Senate Bill No. 1329
Senate Bill No. 804	Senate Bill No. 1439
Senate Bill No. 807	

Senate Concurrent Resolution No. 34

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 1168

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 290

Senate Bill No. 1552

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 285

Senate Bill No. 325

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bills re-referred to Committee on Finance.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 8, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1465

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Assembly Bill No. 492

Assembly Bill No. 493

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

McBRIDE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Senate Bill No. 714

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

McBRIDE, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Assembly Joint Resolution No. 18

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 5; absent 4.

McBRIDE, Chairman

Above reported resolution ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 1210—An act to repeal Section 16075 and add new Section 16075 to the Education Code, relating to membership in any secret fraternity, sorority or club.

Bill read second time.

Motion to Amend

Senator O'Gara moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 16, of the printed bill, after "Campfire girls," insert "YMCA Boys' Clubs,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 908—An act relating to publicly owned and operated communication facilities, creating a California State Communications Board, defining its powers and duties, and the duties of other state officials with relation thereto, and making an appropriation therefor.

Bill read second time.

Motion to Amend

Senator Powers moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, between lines 10 and 11, insert

"This act shall apply only to those communications facilities which are owned and operated by public agencies in connection with official business of the State or of cities, cities and counties, counties and other political subdivisions in this State; and nothing in this act shall be construed as conferring upon the Division of Communications or the Communications Board control of programs or broadcasts intended for the general public.

Communications facilities subject to the jurisdiction of the Division of Communications or the Communications Board shall never under any circumstances be used for political, sectarian or propaganda purposes."

Amendment No. 2

On page 2 of said bill, before "It" at the beginning of line 30, insert

"Sec. 7."

Amendment No. 3

On page 3, line 39, of said bill, strike out "_____ dollars (\$_____)", and insert "forty-seven thousand two hundred thirty-five dollars (\$47,235)".

Amendment No. 4

On page 3 of said bill, strike out lines 42 to 46, inclusive.

Amendment No. 5

On page 3, line 47, of said bill, strike out "13", and insert "12".

Amendment No. 6

On page 3, line 51, of said bill, strike out "14", and insert "13".

Amendment No. 7

On page 3, line 46, of said bill, after the period, insert "Such facilities shall not be used for the purpose of broadcasting to the public, except for fire, flood, frost, and storm warnings and information and such other warnings or information for the protection of the public safety as the Communications Board may by regulation prescribe."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 723—An act to provide for a recreational program and for the acquisition and construction of lands and facilities for the propagation and conservation of wild life, creating a board to acquire the necessary property to carry out such program, and to provide for the maintenance and operation of the property and facilities so acquired, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 19, of the printed bill, strike out "Two", and insert "Three".

Amendment No. 2

On page 1, line 21, of the printed bill, strike out "two", and insert "three".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 1131—An act to add Section 211.5 to the Agricultural Code, relating to the powers of the Director of Agriculture with respect to coordination of livestock sanitary services, making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

In lines 4 and 5 of the title of the printed bill, as amended in the Senate on April 3, 1947, strike out "making an appropriation".

Amendment No. 2

On page 1 of said bill, strike out lines 18 to 22, inclusive.

Amendment No. 3

On page 2, line 1, of said bill, strike out "3", and insert "2".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 941—An act to amend Section 13370 of the Government Code, relating to filing with the Controller of copies of all state contracts, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 1, line 11, of the printed bill, after "contract", insert ", except purchase orders issued by the Bureau of Purchases,".

Amendment No. 2

On page 1, line 13, of said bill, after "contracts", insert ", except purchase orders issued by the Bureau of Purchases,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Resolution No. 71—Relative to the creation of the Senate Investigating Committee on Education.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

After the words "pertaining to", strike out "the 'Building America'".

Amendment No. 2

After the words "teaching credentials", strike out "to one Victor R. Jewett".

Amendments read, and adopted.

Resolution ordered amended, and to third reading.

Senate Concurrent Resolution No. 30—Relative to creating an Interim Committee on Remodeling the State Capitol.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2, line 37, of the printed resolution, strike out "one thousand five hundred dollars (\$1,500)", and insert "two thousand five hundred dollars (\$2,500)".

Amendment read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

Senate Bill No. 327—An act to amend Sections 17953 and 18405 of the Revenue and Taxation Code, relating to credits against net income of estates and trusts under the Personal Income Tax Law.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1330—An act to amend Sections 8352 and 8353 of the Revenue and Taxation Code, relating to appropriations from the Motor Vehicle Fuel Fund.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1344—An act to amend Section 16652 of the Revenue and Taxation Code, relating to appropriations from the Gift Tax Fund.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1345—An act to repeal Section 7103 of the Revenue and Taxation Code, relating to appropriations to carry out the Sales and Use Tax Law.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1346—An act to repeal Section 19353 of the Revenue and Taxation Code, relating to appropriations to carry out the Personal Income Tax Law.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1347—An act to amend Section 27 of the Corporation Income Tax Act, relating to appropriations to carry out said act.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 781—An act to add Chapter 3 to Part 1 of Division 4 of the Fish and Game Code, relating to the conservation, restoration, and taking of fish and game, declaring a state policy in relation to the use of the resources of the State in connection with wild life revival and public recreational facilities, and to add a new section to the Water Code, relative to the appropriation of water.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 20 to 22, inclusive; and on page 2, strike out lines 1 and 2.

Amendment No. 2

On page 2, line 3, of said bill, strike out "b", and insert "a".

Amendment No. 3

On page 2 of said bill, strike out lines 10 to 34, inclusive, and insert "(b) All the unappropriated springs and water seepages on the public lands in San Bernardino County, described in subdivision (a) of this section, not now being put to a beneficial use, are and each of them is reserved for the preservation and conservation of wild life within the said area, and none of such unappropriated springs or water seepages shall be subject to appropriation for any other use, unless it shall be first determined by the Division of Water Resources, Department of Public Works, that such springs or water seepages sought to be appropriated, is not necessary for the preservation and conservation of wild life within said area."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 617—An act to add Section 1176.6 to the Fish and Game Code, relating to homing pigeons.

Bill read second time, and ordered to third reading.

Assembly Bill No. 34—An act to add Sections 169 and 283 to the Fish and Game Code, relating to game refuges.

Bill read second time, and ordered to third reading.

Assembly Bill No. 781—An act to amend Sections 14.2, 15, 16, 16.1, 16.2, and 19.6 of the Fish and Game Code, relating to the general regulatory powers of the Fish and Game Commission.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2283—An act to add Section 1268.5 to the Code of Civil Procedure, relating to the procedure of escheating and vesting property in the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on March 20, 1947, after "property", insert "of a value of three hundred dollars (\$300) or less".

Amendment No. 2

On page 2 of said bill, strike out lines 18 to 29, inclusive.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 416—An act to amend Sections 120, 152, 311, 315, 340, 350, 381, 440, 460, 502, 561, 583, 584, 820, 900, 901, 951, 952, 953, 954, 960, 1121, 1130, 1133, 1134, 1135, 1152, 1153, 1171, 1201, 1210, 1221, 1411, 1421, 1422, 1425, 1481, 1524, 1525, 1621, 1631, 1633, 1720, 1731, 1751, 1753, 1760, 1770, 1771, 1800, 1910, 2000, 2002, and 2005 of the Municipal Utility District Act, to repeal Sections 154, 317, 1211, 1212, 1213, 1220, 1222 thereof, to repeal Article 2, Chapter 4, Part 3, comprising Section 470 thereof, to repeal Chapter 5, Part 6, comprising Sections 1500 to 1507, inclusive, thereof, and add a new Chapter 5, Part 6, comprising Sections 1500 to 1504, inclusive, thereto, and to add Sections 17, 26, 27, 28, 604, 950.5, 950.6, 1202, 1203, 1441, and 1772 thereto, relating to municipal utility districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Keating, Kraft, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, and Watson—21.

NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 2.10 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 209—An act to amend Section 6357 of the Education Code, relating to rates of school district tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Keating, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 837—An act to add Chapter 8 to Division 10 of the Education Code, relating to state cerebral palsy schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

President of the Senate Presiding

At 2.27 p.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

Senate Bill No. 840—An act to amend the heading of Article 12 of Chapter 7 of Division 4 of the Education Code and to amend Sections 9176 and 9178 of said code, all relating to federal programs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, DeLap, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 276—An act to add Article 9, comprising Sections 20221 and 20222 to Chapter 1 of Division 10 of the Education Code, relating to the University of California Police.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 631—An act to amend Sections 12 and 16 of the Construction and Employment Act, relating to county road or highway and sewage facility projects, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, O'Gara, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 746—An act to amend Section 12000 of the Government Code, relating to the salary of the Governor.

Bill read third time.

Previous Question

Senator Slater moved the previous question.

Motion carried.

The question being on the final passage of Senate Bill No. 746.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 531—An act to amend Section 185 of the Education Code, relating to traveling expenses of officers and employees of the Department of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 971—An act to amend Section 10 of the Political Code, relating to holidays.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 347—An act to add Section 13397.1 to the Health and Safety Code, relating to solvents in clothes cleaning establishments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 454—An act to add Section 6407 to the Health and Safety Code, relating to sanitary districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo,

O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 455—An act to validate the formation, organization and existence of sanitary districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 192—An act to amend Section 2016 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Ward, and Williams—29.

NOES—Senators Watson and Weybret—2.

Bill ordered transmitted to the Assembly.

Senate Bill No. 462—An act to add Chapter 11, comprising Sections 6910 to 6913 to Division 6, Part 1 of the Health and Safety Code, to provide for the exclusion of a portion of a sanitary district under certain conditions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 808—An act to add Part 2 of Division 15 to the Health and Safety Code, comprising Sections 21400 to 21409, inclusive, and to add Section 40012 thereto, thereby consolidating and revising the law relating to examinations of pregnant and recently delivered women for syphilis, and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 809—An act to repeal "An act to regulate the sale of eggs that have been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering the same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof," approved June 4, 1915, to repeal an act entitled "An act to regulate the sale of food and drink, the ingredients of which are in part composed of eggs shipped or imported into the State of California, from any point or place outside of the United States, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food or drink, and fixing penalties for the violation of the same or of any of the provisions thereof," approved June 4, 1915, and to repeal an act entitled "An act to regulate the placing of cards in all packages or wrappers enclosing manufacturers' food products, before being sold or offered for sale, which are composed in part of eggs shipped or imported into the State of California, from any point or place outside of the United States, and fixing penalties for the violation of the same or of any of the provisions thereof," approved June 4, 1915, all relating to the sale of eggs and egg products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 810—An act to repeal an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs and making an appropriation therefor," approved March 11, 1907, and an act entitled "An act to provide against the adulteration of food and drugs," approved March 26, 1895, relating to the adulteration of food and drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 811—An act to repeal an act entitled "An act to prohibit within certain limits the mooring and anchoring of houseboats in rivers and streams, and the maintaining of privies, vaults, cesspools, sewer pipes and conduits on the banks of rivers and streams, and providing for punishment for violation thereof, declaring such acts to be public nuisances, and providing for the abatement of such nuisances," approved March 6, 1909.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 812—An act to add Chapter 10, comprising Sections 28500 to 28509, to Division 21 of the Health and Safety Code, and to add Section 40018 thereto, thereby consolidating and revising the law relating to the sale and use of sulphur containing arsenic, and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 813—An act to add Chapter 8, comprising Sections 28360 to 28455, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40016 thereto, thereby consolidating and revising the law relating to canneries, and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 814—An act to add Chapter 9, comprising Sections 28475 to 28488, inclusive, to Division 21 of the Health and Safety

Code, and to add Section 40017 thereto, thereby consolidating and revising the law relating to the manufacture, sale and use of olive oil, and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 815—An act to add Part 1 of Division 15 to the Health and Safety Code, comprising Sections 21000 to 21386, inclusive, and to add Section 40011 thereto, thereby consolidating and revising the law relating to the care and control of venereal disease, and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 816—An act to add Chapter 6, comprising Sections 28190 to 28254, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40014 thereto, thereby consolidating and revising the law relating to bakeries and bakery products, and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 486—An act to amend Sections 29004 and 29022 of, and to add Sections 29030 and 29031 to, the Health and Safety Code, relating to dangerous drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McCormack, Powers, Rich, Salsman, Slater, Swing, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 804—An act to add Chapter 7, comprising Sections 28280 to 28345, inclusive, to Division 21 of the Health and Safety

Code, and to add Section 40015 thereto, thereby consolidating and revising the law relating to sanitation in the production, handling, storage and sale of food, including food production establishments, food containers and food licensing, and repealing acts and parts of acts specified therein.

Bill read third time.

Motion to Amend

Senator Burns moved the adoption of the following amendments:

Amendment No. 1

On page 5, line 6, of the printed bill, as amended in the Senate on April 9, 1947, following "revoke", insert "or suspend".

Amendment No. 2

On page 5, line 6, of said bill, following the period, insert "The proceedings for the revocation or suspension of a license shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein."

Amendment No. 3

On page 6, line 6, of said bill, following "revoked", insert "or suspended after a hearing".

Amendment No. 4

On page 6, line 9, of said bill, following the period, insert "The proceedings for the revocation or suspension of a license shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein."

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 1213—An act to add Section 18721.1 to the Education Code, relating to the sale of personal property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

Senate Bill No. 385—An act to amend Section 573 of the Probate Code, relating to the power and duties of executors and administrators of estates in probate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 913—An act to amend Section 30204 and to add Sections 30204.1, 30204.2, 30204.3, 30204.4, 30204.5, and 30357 to the

Streets and Highways Code, relating to additional toll bridges and other toll highway crossings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1553—An act making an appropriation for expenses of Members of the Senate pursuant to Section 352 of the Political Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—31.

NOES—None.

Motion to Amend Title

Senator Salsman moved the adoption of the following title amendment:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert ", to take effect immediately".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 3.34 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2654—An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Tenney moved a call of the Senate.

Motion carried. Time, 3.40 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE
MOTION TO SET SPECIAL ORDER

Senator Hatfield moved that Senate Joint Resolution No. 16 be made a special order of business for Monday, April 14, 1947, at 2.30 p.m.

Motion carried.

MOTION TO PRINT LETTER OF TRANSMITTAL AND REPORT

Senator O'Gara moved that the letter of transmittal be printed in the Journal and the Report of the Joint Committee on the Housing Problem be printed in the Appendix of the Journal, and 1,500 additional copies of the report printed for distribution.

Motion carried.

LETTER OF TRANSMITTAL

JOINT HOUSING INVESTIGATING COMMITTEE

SAN FRANCISCO 2, CALIFORNIA, April 9, 1947

Hon. Goodwin J. Knight, President of the Senate

Hon. Samuel L. Collins, Speaker of the Assembly

State Capitol, Sacramento, California

DEAR SIR: Pursuant to the provisions of Senate Concurrent Resolution No. 13, the Joint Committee on the Housing Problem was duly organized with the following membership:

Senator Gerald J. O'Gara, Chairman

Assemblyman Ralph C. Dills, Vice Chairman

Senator Arthur H. Breed, Jr.

Senator T. H. DeLap

Senator Nelson S. Dilworth

Senator Jack B. Tenney

Assemblyman Thomas W. Caldecott

Assemblyman James G. Crichton

Assemblyman Thomas A. Maloney

Assemblyman Albert I. Stewart

The committee has made inquiry into the housing problem throughout the State with particular reference to veterans' housing as directed in the resolution and submits herewith its report thereon.

The committee gratefully acknowledges the assistance in its inquiries of the many citizens and public officers who have appeared before it as witnesses.

Respectfully submitted.

SENATOR GERALD J. O'GARA, Chairman

ASSEMBLYMAN RALPH C. DILLS, Vice Chairman

MOTION TO PRINT REPORT

Senator Gordon moved that the Report of the Interim Committee on Fish and Game be printed in the Appendix of the Journal, and that 200 additional copies be printed for distribution.

Motion carried.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 299

Senator Hatfield moved that Senate Bill No. 299 be withdrawn from Committee on Fish and Game, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 299—An act to add Sections 498, 499, 500, 501, 502, 503, 504, 505, and 506 to Article 1, Chapter 1, Part 2, Division 4, of the Fish and Game Code, relating to farm fish ponds.

Bill read second time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 18 and 19, of the printed bill, strike out "to the owner or lessee".

Amendment No. 2

On page 1 of said bill, strike out line 20.

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 7, inclusive, and insert "501. The owner or lessee of a registered farm pond may, under the terms of a permit issued by the commission, stock said pond with fish obtained from a licensed domestic fish breeder."

Amendment No. 4

On page 2 of said bill, strike out lines 15 to 18, inclusive, and insert "504. Excess fish can be removed by the commission with the consent of the registrant for the stocking of other waters."

Amendment No. 5

On page 2, line 13, of said bill, following "ponds", insert "only by the registrant".

Amendment No. 6

On page 2 of said bill, strike out lines 19 to 26, inclusive.

Amendment No. 7

On page 2, line 28, of said bill, strike out "owner or lessee", and insert "registrant".

Amendment No. 8

On page 2, line 31, of said bill, strike out "owner or lessee", and insert "registrant".

Amendment No. 9

On page 2, line 27, of said bill, strike out "506.", and insert "505."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 478

Senator Ward moved that Senate Bill No. 478 be withdrawn from Committee on Labor, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 478—An act to amend Section 1350 of and to add Section 1352.1 to the Labor Code, relating to hours of labor for women.

Bill read second time.

Motion to Amend

Senator Ward moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 22, of the printed bill, after "than", insert "at the rate of".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 131

Senator Deuel moved that Senate Bill No. 131 be withdrawn from Committee on Agriculture, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 131—An act to amend Sections 272, 274, 275, 283, 284, and 285.3 of the Agricultural Code, relating to bee diseases and apiary equipment brands.

Bill read second time.

Motion to Amend

Senator Deuel moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, immediately following "275," insert "281,".

Amendment No. 2

In line 2 of the title of said bill, immediately preceding "the", insert ", to add Sections 272.5 and 281.6 to, and to repeal Section 281.5 of,".

Amendment No. 3

On page 1 of said bill, between lines 14 and 15, insert

"SEC. 2. Section 272.5 is added to the Agricultural Code, to read:

272.5. In the event that no provision is made in any county for the appointment and compensation of a county inspector of apiaries, the director shall assign a Deputy State Bee Inspector who shall, in cooperation with the commissioner, if there be such officer in the county, perform all of the duties of the county inspector of apiaries in such county.

The actual cost of services performed by a Deputy State Bee Inspector shall be paid by the county in the same manner in which other claims against the county are paid.

The rate of compensation for a Deputy State Bee Inspector shall be in accordance with the salary range established by the State Personnel Board for this classification. In addition to his compensation, a Deputy State Bee Inspector shall be repaid by the county for his actual traveling expenses in connection with his work in the county in the same manner as other claims for such reimbursements are paid.

The period of employment of a Deputy State Bee Inspector in any one county shall be based at the rate of not more than one month for each 1,000 colonies of bees in the county and not to exceed six months in any one calendar year."

Amendment No. 4

On page 1, line 15, of said bill, strike out "2", and insert "3".

Amendment No. 5

On page 1, line 27, of said bill, strike out "October", and insert "September".

Amendment No. 6

On page 2, line 21, of said bill, strike out "3", and insert "4".

Amendment No. 7

On page 2 of said bill, strike out lines 30 to 37, inclusive, and insert "The commissioner in the county of origin shall also be notified of such movement within five days thereof."

Amendment No. 8

On page 3, line 1, of said bill, strike out "release", and insert "permit".

Amendment No. 9

On page 3 of said bill, between lines 6 and 7, insert

"SEC. 5. Section 281 of the Agricultural Code is amended to read:

281. It is unlawful for any person owning or controlling bees, hives or appliances within the State, which are infected with disease to move or transport the same except under permit from the commissioner or an authorized inspector for the purpose of eradication only, as prescribed in Section 276, and then no farther than necessary to avoid the danger of fire or other natural hazards. The inspector may in a summary manner destroy any and all infected bees unlawfully moved within the State wherever they may be found. It is unlawful to sell diseased bees, hives or appliances. *It is unlawful to abandon any diseased apiary.*

SEC. 6. Section 281.6 is added to the Agricultural Code, to read:

281.6. It shall be lawful, at the option and expense of the owner, notwithstanding any other provisions of this article, for the inspector or for any person having a permit from the inspector, to transport hives in which disease has been found, together with their contents, to a wax-salvage plant, licensed under the provisions of this section, after first having killed the bees in such hives and sealed the hives to prevent the entrance of live bees.

It is unlawful to remove any honey or wax or to salvage or attempt to salvage any hives or appliances from any colony infected with American foulbrood, except in a wax-salvage plant licensed and operated under the provisions of this section.

The director shall prepare and furnish to interested parties upon request uniform specifications for the construction of wax-salvage plants, and rules and regulations for the operation of such plants in such manner as to prevent the spread of disease therefrom.

Any person desiring to maintain and operate a plant for the salvaging of wax, hives and appliances from diseased apiaries shall apply for an annual license therefor to the commissioner of the county in which such wax-salvage plant is located. The commissioner shall make such investigation as he may deem necessary and shall issue the license without fee if he is satisfied that the plant is constructed in accordance with the provisions of this section and the specifications of the director, and that the plant will be operated in accordance with the rules and regulations of the director. All licenses shall be good for the calendar year within which same are issued and shall expire on December 31st thereof.

All salvage operations with respect to wax, hives and appliances from diseased colonies shall be performed under the direction and supervision of the inspector in an enclosure tightly double-screened to prevent the entrance of bees, with screens not less than three inches apart. Entrance to the enclosure shall be through a vestibule not less than six feet in length, double-screened in the same manner as the enclosure, with tight-fitting doors at each end. No such wax, hives or appliances shall be moved from such enclosure except under permit from the inspector after treatment in the manner herein provided. The frames, together with their contents, shall be held not less than 30 minutes in boiling water in a vat drained by direct connection into a sewage disposal system or into a cesspool constructed in accordance with specifications of the director. The frames, after removal from the vat, shall be boiled not less than 20 minutes in a solution of lye water. The hives, bodies, bottom boards, covers and supers shall either be scorched or shall be boiled not less than 20 minutes in a solution of lye water. Honey shall not be salvaged, but shall be drained off with the refuse water. All solid matter, other than wax, remaining after draining the vat shall be burned in an incinerator constructed in accordance with specifications of the director.

Any license issued under the provisions of this section may be revoked or suspended or renewal of such license may be refused by the commissioner, after hearing, whenever he finds that a licensee has not complied with all of the provisions of this section and the rules, regulations and specifications issued hereunder."

Amendment No. 10

On page 3, line 7, of said bill, strike out "4", and insert "7".

Amendment No. 11

On page 3, line 10, of said bill, strike out "March, 1944," and insert "November, of each year."

Amendment No. 12

On page 3 of said bill, strike out all of lines 11 to 13, inclusive, and insert "of colonies therein and the location thereof."

Amendment No. 13

On page 3, line 24, of said bill, strike out "5", and insert "8".

Amendment No. 14

On page 3, line 46, of said bill, strike out "6", and insert "9".

Amendment No. 15

On page 4 of said bill, immediately following line 10, insert
 "SEC. 10. Section 281.5 of the Agricultural Code is repealed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
 DISPENSED WITH**

At 3.45 p.m., on motion of Senator Tenney, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 2654 adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 33—Relative to designation of certain high-ways as Blue Star Memorial Routes;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the tenth day of April, 1947, at 3.30 p.m.

POWERS, Chairman

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Assembly Bill No. 72

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

WARD, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 229

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

WARD, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 1339

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

WARD, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 9, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Joint Resolution No. 3

Senate Joint Resolution No. 6

Assembly Concurrent Resolution No. 15

Assembly Concurrent Resolution No. 16

Assembly Concurrent Resolution No. 17

Assembly Concurrent Resolution No. 18

Assembly Concurrent Resolution No. 19

Assembly Concurrent Resolution No. 26

Assembly Concurrent Resolution No. 32

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 7; absent 2.

WARD, Chairman

Above reported resolutions ordered to third reading.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 62

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 62—Relative to Clyde Burgett.

Resolution read, and ordered to third reading file.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 710

Assembly Bill No. 892

Assembly Bill No. 1375

Assembly Bill No. 1376

Assembly Bill No. 1446

Assembly Bill No. 1532

Assembly Bill No. 1638

Assembly Bill No. 1840

Assembly Bill No. 1848

Assembly Bill No. 2463

Assembly Bill No. 2649

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 710—An act to amend Section 19143 of the Education Code, relating to the qualifications of librarians employed by county superintendents of schools.

Referred to Committee on Education.

Assembly Bill No. 892—An act to amend Sections 1019 and 1060 of the Fish and Game Code, relating to commercial fishing, packing and reduction plants.

Referred to Committee on Fish and Game.

Assembly Bill No. 1375—An act to repeal Sections 8003 and 8004 of the Education Code, relating to the establishment of separate schools for certain races.

Referred to Committee on Education.

Assembly Bill No. 1376—An act to amend Section 802 of the Agricultural Code, relating to the maturity of grapes.

Referred to Committee on Agriculture.

Assembly Bill No. 1446—An act to amend Section 11535 of the Business and Professions Code, relating to the regulation of real estate subdivisions.

Referred to Committee on Business and Professions.

Assembly Bill No. 1532—An act to amend Sections 8, 9, and 13 of, and to add Sections 13.1, 13.2, and 18 to, Chapter 339 of the Statutes of 1923, relating to the possession, sale, and use of pistols, revolvers, and other firearms capable of being concealed upon the person, the registering of sales of such firearms, the granting of licenses or permits to carry the same concealed upon the person and to entitle said chapter "The Dangerous Weapons' Control Law."

Referred to Committee on Judiciary.

Assembly Bill No. 1638—An act to amend Sections 21654 and 21655 of the Water Code, relating to notice of election in irrigation districts.

Referred to Committee on Water Resources.

Assembly Bill No. 1840—An act to amend Sections 6734 and 6735 of the Welfare and Institutions Code, relating to the restoration to capacity of persons committed to a state hospital.

Referred to Committee on Judiciary.

Assembly Bill No. 1848—An act to add Section 7058.01 to the Welfare and Institutions Code, relating to commitment of defective or psychopathic delinquents.

Referred to Committee on Judiciary.

Assembly Bill No. 2463—An act to repeal certain temporary provisions specified in this act relating to elections, including provisions

relating to war voters, absent voting, and the times for elections, meetings of political parties, and filing of election documents.

Referred to Committee on Elections.

Assembly Bill No. 2649—An act granting certain lands of the State of California to the City of San Diego upon certain trusts and conditions.

Referred to Committee on Governmental Efficiency.

ADJOURNMENT

At 4.50 p.m., on motion of Senator Slater, the President declared the Senate adjourned until 9.30 a.m., Friday, April 11, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FORTY-SECOND LEGISLATIVE DAY

NINETY-SIXTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, April 11, 1947

The Senate met at 9.30 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—33.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Carter, due to illness.

Senator Hulse, on motion of Senator Carter, due to illness.

Senator Collier, on motion of Senator Carter, due to illness.

Senator Weybret, on motion of Senator Carter, due to legislative business.

Senator McBride, on motion of Senator Carter, due to illness.

Senator DeLap, on motion of Senator Carter, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Mayo, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Roy Calvin of Roseville.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 327

Senate Bill No. 1345

Senate Bill No. 1330

Senate Bill No. 1346

Senate Bill No. 1344

Senate Bill No. 1347

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 82

Senate Bill No. 85

Senate Bill No. 83

Senate Bill No. 91

Senate Bill No. 84

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Assembly Bill No. 1062

Assembly Bill No. 1340

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 655

Senate Bill No. 1225

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 610

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 964

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 656

Assembly Bill No. 598

Assembly Bill No. 594

Assembly Bill No. 599

Assembly Bill No. 597

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 463

Senate Bill No. 642

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills re-referred to Committee on Finance.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Local Government, to which was referred:

Senate Bill No. 184

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

CUNNINGHAM, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 1168—An act to amend Section 795.1 of the Agricultural Code, relating to oranges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, lines 20 and 21, of the printed bill, strike out "the Tehachapi Mountains in California", and insert "a line coterminous with the southern boundaries of Alpine, Amador, Sacramento, Solano, Sonoma and Marin Counties".

Amendment No. 2

On page 1, line 24, of said bill, strike out "the Tehachapi Mountains", and insert "said line".

Amendment No. 3

On page 1, line 25, of said bill, strike out "the Tehachapi Mountains", and insert "said line".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 290—An act to repeal Section 1881.3 of the Civil Code, relating to the period during which the chapter of said code relating to private bulk storage of grain shall remain in effect.

Bill read second time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert "SECTION 1. Section 1881.3 of the Civil Code is amended to read as follows: 1881.3 The provisions of this chapter shall have no force and effect after December 31, 1949."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1552—An act to repeal Division 7 of, and add Division 7 to, the Citrous Pest District Control Act, relating to citrous pest control districts.

Bill read second time.

Request for Unanimous Consent

Senator Williams asked for, and was granted, unanimous consent to take up Senate Bill No. 1552, at this time, for consideration.

CONSIDERATION OF SENATE BILL NO. 1552

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Williams:

Resolved, That Senate Bill No. 1552 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Williams moved a call of the Senate.

Motion carried. Time, 9.45 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1465—An act to amend Section 18021 of the Government Code and to repeal Section 18022 of the Government Code, relating to hours of work.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "18021", and insert "18020".

Amendment No. 2

In line 2 of the title of said bill, strike out "Section 18022", and insert "Sections 18021, 18022, 18023 and 18024".

Amendment No. 3

On page 1, line 1, of said bill, strike out "18021", and insert "18020".

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 12, inclusive, and insert "[18020. For the purpose of determining eligibility for overtime compensation, the State Personnel Board shall establish the normal work week for each class in the state civil service for which a monthly salary range is fixed and for each position not subject to state civil service by allocating, and reallocating as the needs of the service require, each State civil service class and each exempt position to one of the following groups:

- (1) Classes with a normal work week of 40 hours.
- (2) Classes with a normal work week of 44 hours.
- (3) Classes with a normal work week of 48 hours.
- (4) Classes which can not be included in any plan of payment for overtime

because:

(a) While requiring at least 40 hours a week, the duties and responsibilities are such that they are not adapted to a maximum number of hours a week; or

(b) The performance of duties is required on a part-time or intermittent basis and does not amount to a maximum of 40 hours per week.]

18020. No employee of the State for whom a monthly salary range is fixed shall be required to work in excess of five days of eight hours a day in any seven consecutive days unless said employee is compensated at his regular rate of pay for each hour or such fraction thereof as is worked in excess of said eight hours per day or 40 hours per week. Nothing in this section shall be construed to prevent any state agency from granting compensating time off in lieu of cash for said overtime where compensating time off can be granted within six calendar months following the month in which the overtime was worked and without impairing the services rendered by the employing state agency. The Personnel Board, upon proper showing by any agency affected that the hours of work or the payment of overtime compensation or the allowance of compensating time off to any class of employees in the state civil service or to any employee exempt from civil service, in accordance herewith, will interfere with the efficient administration of the agency or will be inimical to the public welfare may exempt such class or employee from the provisions of this section and in lieu thereof may provide for them different hours or days of work or different rates of overtime compensation not to exceed those herein provided and may provide for different methods and times for paying it or of allowing compensating time off. Any employee affected by any application for exemption from the provisions of this section shall, upon written request, have a right to a hearing before the Personnel Board in the matter.

SEC. 2. Sections 18021, 18022, 18023, and 18024 of the Government Code are repealed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 714—An act to add Sections 108 and 109 to the Bank Act and to add Article 6, comprising Sections 18210 to 18216, inclusive, to Chapter 8 of Part 10 of Division 2 of the Revenue and Taxation Code, relating to common trust funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "to act as fiduciary", and insert "under the Bank Act to engage in the trust business".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "or", and insert a comma.

Amendment No. 3

On page 1, line 12, of the printed bill, following "order", insert "or statute".

Amendment No. 4

On page 1, line 12, of the printed bill, following "creating", insert "or governing".

Amendment No. 5

On page 2, line 13, of the printed bill, strike out "to act as fiduciary", and insert "under the Bank Act to engage in the trust business".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 229—An act to add Section 981.25 to the Military and Veterans Code, relating to veterans education.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Senate on March 28, 1947, strike out "admit"; and strike out lines 11 to 18, inclusive, and insert

"Enroll the veteran under this article if he finds it will be to the best interests of the State and the veteran for the veteran to receive state educational assistance; prior to his applying for federal educational assistance."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1339—An act to repeal Chapter 295 of the Statutes of 1945 and Sections 160.5, 223.5, 395.6, and 395.7 and Chapter 4, comprising Sections 560 to 589, inclusive, of Part 2 of Division 2 of the Military and Veterans Code, relating to the California State Guard, reserving claims, rights, benefits, and privileges of members and disciplinary powers as to offenses, and providing for the liquidation of property, funds, and affairs of the California State Guard.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 492—An act to amend Section 320b of the Civil Code and Section 2218 of the Corporations Code, relating to representing shares of stock in corporations, and specifying the rights of nominees of fiduciaries to represent such shares.

Bill read second time, and ordered to third reading.

Assembly Bill No. 493—An act to amend Section 105 of the Bank Act, relating to trust companies' investments: Deposit in banks: Stock or other securities, and the registration of stock or other securities in the

name of trust company nominees: Liability of corporations, their registrars and transfer agents with respect to stock registered in the name of trust company nominees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 72—An act to amend Sections 986.4 and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 26, 1947, strike out "986.4 and".

Amendment No. 2

On page 1, line 1, of said bill, strike out "986.4", and insert "986.5".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 9, inclusive.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Resolution No. 71—Relative to the creation of the Senate Investigating Committee on Education.

Resolved by the Senate of the State of California, As follows:

1. The Senate Investigating Committee on Education is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the Public School System, educational practices in this State, the State Department of Education, the State Board of Education, the Superintendent of Public Instruction, and the State Curriculum Commission, and particularly (without limitation by reason of the specification thereof) all matters pertaining to textbooks and the issuance of teaching credentials, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Senate, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Senate appointed by the Committee on Rules thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Senate as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of five thousand dollars (\$5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Previous Question

Senator Gordon moved the previous question.

Motion carried.

The question being on the adoption of Senate Resolution No. 71.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—29.

NOES—None.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH**

At 10.22 a.m., on motion of Senator Williams, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the resolution suspending the Constitution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—30.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1552

Senate Bill No. 1552—An act to repeal Division 7 of, and add Division 7 to, the Citrous Pest District Control Act, relating to citrous pest control districts.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Hatfield, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—27.

NOES—None.

Motion to Amend Title

Senator Williams moved the adoption of the following title amendment:

Amendment No. 1

In line 3 of the title of the printed bill, after "districts", insert "and declaring the urgency thereof, to take effect immediately".

Amendment read, and adopted.

Senate Bill No. 1552 ordered printed, and transmitted to the Assembly.

Senator Keating Presiding

At 10.28 a.m., Senator Thomas F. Keating of the Thirteenth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 30—Relative to creating an Interim Committee on Remodeling the State Capitol.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Hatfield, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—24.
NOES—None.

Resolution ordered transmitted to the Assembly.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 38

Senator Judah moved that Senate Bill No. 38 be withdrawn from Committee on Social Welfare, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 38—An act to amend Sections 1520 and 1521 of, and to add Section 1521.2 to, the Welfare and Institutions Code, relating to property qualifications for aid to needy children.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out line 16, and insert "six hundred dollars (\$600)."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 189

Senator Dillinger moved that Senate Bill No. 189 be withdrawn from Committee on Labor, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 189—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Bill read second time.

Motion to Amend

Senator Dillinger moved the adoption of the following amendment :

Amendment No. 1

On page 1 of the printed bill, after line 9, insert
 "SEC. 2. Out of any money in the State Treasury not otherwise appropriated, there is hereby appropriated the sum of twenty-five thousand dollars (\$25,000) to the Department of Industrial Relations for additional support during the Ninety-ninth Fiscal Year, to carry out the provisions of this act."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

Chief Assistant Secretary Cleve V. Taylor at the Desk

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2263—An act to amend Sections 1010, 1011, 1014, 1018, 1019, 1023, 1026, 1027, 1030, 1030.1, 1030.2, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1039.3, 1044, 1046, 1080, 1081, 1083, 1085, and 1088 of, to repeal Sections 1024 and 1084 of, and to add Sections 1091, 1092, 1093, and 1094 to, the Military and Veterans Code, relating to the Veterans Home of California and to the Woman's Relief Corps Home of California.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote :

AYES—Senators Breed, Brown, Busch, Carter, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Hatfield, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Sutton, Tenney, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1091—An act to add Section 4156d to the Political Code and Section 26542 to the Government Code, relating to district attorneys.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote :

AYES—Senators Breed, Busch, Carter, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Hatfield, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 130—An act to amend Section 699.5 of the Military and Veterans Code, relating to the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Judah, Keating, Kraft, Mayo, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 67—An act to add Section 18972.5 to the Government Code, relating to physical qualifications of veterans for state civil service.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Judah, Keating, Kraft, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Tenney, Ward, Watson, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 224—An act to amend Section 1557 of the Penal Code, relating to fugitives from justice.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Judah, Keating, Kraft, Mayo, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 228—An act to amend Section 3 of an act entitled "An act creating an additional district court of appeal known as the District Court of Appeal for the Fourth Appellate District, redividing the State into appellate districts, providing for the maintenance and operation of said court, and making an appropriation therefor," approved June 5, 1929, relating to sessions.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Judah, Keating, Kraft, Mayo, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 10.50 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Assembly Bill No. 993—An act to amend Sections 18533, 18537, 19054, and 19057 of the Government Code, relating to eligible lists and certification of employees in the state civil service.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Judah, Keating, Mayo, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 994—An act to amend Section 19055 of the Government Code, relating to certification from eligible lists in the state civil service.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Desmond, Dillinger, Donnelly, Judah, Keating, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Tenney, Ward, Watson, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 995—An act to amend Section 18859 of the Government Code, relating to adjustments in salary ranges for state employees.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Desmond, Dilworth, Donnelly, Judah, Keating, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Tenney, Ward, Watson, and Williams—21.

NOES—None.

Bill ordered transmitted to the Assembly.

Senator Burns Presiding

At 11 a.m., Senator Hugh M. Burns of the Thirtieth District, presiding.

Assembly Bill No. 1416—An act to amend Section 785 of the Probate Code, relating to probate sales.

Bill read third time, and presented by Senator Keating.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Rich, Slater, Tenney, Ward, Watson, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2016—An act to add Article 9 to Chapter 1, Division 10 of the Education Code, relating to the University of California.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 52—Relative to declaring the golden trout the official State Fish of California.

Resolution read, and presented by Senator Watson.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2283—An act to add Section 1268.5 to the Code of Civil Procedure, relating to the procedure of escheating and vesting property in the State.

Motion to Re-Refer Assembly Bill No. 2283

Senator Carter moved that Senate Bill No. 2283 be re-referred to Committee on Judiciary.

Motion carried.

Assembly Concurrent Resolution No. 15—Relative to reports of the annual conventions of the American Legion.

Resolution read, and presented by Senator Quinn.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Dillinger, Donnelly, Gordon, Hatfield, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 16—Relative to the reports of the sessions of the department encampment of the Grand Army of the Republic.

Resolution read, and presented by Senator Quinn.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 17—Relative to reports of the annual conventions or encampments of the Veterans of Foreign Wars of the Department of California.

Resolution read, and presented by Senator Quinn.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Dillinger, Donnelly, Gordon, Hatfield, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 18—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans.

Resolution read, and presented by Senator Quinn.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 19—Relative to the reports of the annual conventions of the Disabled American Veterans of the World War of the Department of California.

Resolution read, and presented by Senator Quinn.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Hatfield, Judah, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 26—Relative to reports of the annual conventions of the American Veterans of World War II (AMVETS).

Resolution read, and presented by Senator Quinn.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 32—Relative to reports of the annual conventions of the Jewish War Veterans.

Resolution read, and presented by Senator Quinn.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Crittenden, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 62—Relative to Clyde Burgett.

Resolution read, and presented by Senator Tenney.

Resolution adopted by a rising vote of the following Senators:

Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—33.

Resolution ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 3—Relative to memorializing Congress to increase federal aid to the Veterans' Home of California, at Yountville.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Joint Resolution No. 6—Memorializing and petitioning the President and Congress of the United States to pass appropriate legislation to enable veterans who obtained guaranteed loans prior to December 28, 1945, to come within provisions of Public Law 268.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 807—An act to add Chapter 5, comprising Sections 28110 to 28160, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40013 thereto, thereby consolidating and revising the law relating to cold storage, including refrigerating warehouses and food kept or preserved therein, and repealing acts and parts of acts specified therein.

Bill read third time.

Motion to Amend

Senators Kraft and Burns moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Senate on April 9, 1947, after "exclusively", insert "wholesale or".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 1131—An act to add Section 211.5 to the Agricultural Code, relating to the powers of the Director of Agriculture with respect to coordination of livestock sanitary services, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft,

Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel, regarding ratification of amendments to the United States Constitution, printed in the Journal:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, April 10, 1947

Ratification of Amendments to United States Constitution, No. 3896

Hon. George J. Hatfield

Senate Chamber

DEAR SENATOR HATFIELD: In our opinion the affirmative vote of a majority of the members elected to each of the two houses of the Legislature is sufficient to adopt a joint resolution ratifying an amendment to the Constitution of the United States.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By J. D. STRAUSS, Deputy

RESOLUTIONS

The following resolution was offered:

By Senator Dilworth:

Senate Resolution No. 72

Relative to the Ramona Pageant

WHEREAS, For more than a quarter of a century the people of the communities of San Jacinto and Hemet have in the spring of each year presented a series of pageants of the life story of Ramona, a charming character in that historical romance of early California; and

WHEREAS, In the war years these people were so busy in essential war work that the Ramona Pageant was omitted; and

WHEREAS, In the months of April and May of last year, the Ramona Pageant was restored and received with acclaim by 30,000 spectators achieving the greatest recognition of its history, as the outstanding outdoor pageant of Early California History; now therefore be it

Resolved by the Senate of California, That the people of the communities of San Jacinto and Hemet are heartily commended for the signal service they are rendering to California in preserving popular knowledge of California's early historical events and traditions, and be it further

Resolved, That the Senate does appoint and delegate its Constitutional President, The Honorable Goodwin J. Knight, to visit the Ramona Pageant and attendant ceremonies on April 19th as the official representative of the Senate to convey its commendation and best wishes for success to those talented and public spirited people who are engaged in the renewal of the Ramona Pageant this season at the Ramona Bowl near Hemet and San Jacinto; and be it further

Resolved, That the Secretary of the Senate is directed and authorized to prepare a suitably engrossed copy of this resolution for presentation by the President of the Senate to the Ramona Pageant Association.

Resolution read, and, on motion of Senator Dilworth, adopted.

Motion to Take Bill From the Inactive File

Senator Keating moved that Senate Bill No. 25 be taken from the inactive file, and placed on the second reading file.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 25—An act to add Section 1662 to the Civil Code, relating to contracts for purchase and sale of real property.

Bill read second time, and ordered to third reading.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1553

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1210

Senate Joint Resolution No. 3

Senate Concurrent Resolution No. 30

Senate Joint Resolution No. 6

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1131

Senate Bill No. 1339

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 1111

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Senate Bill No. 566

Assembly Bill No. 401

Senate Bill No. 567

Assembly Bill No. 93

Assembly Bill No. 1048

Assembly Bill No. 1527

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

DILLINGER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Senate Bill No. 1110

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Senate Bill No. 1156

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; noes 2; absent 1.

DILLINGER, Chairman

Above reported bill ordered to second reading.

Committee on Education

SENATE CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:
Assembly Bill No. 1531

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: The Committee on Education, to which were referred:
Senate Bill No. 993
Senate Bill No. 1214

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

SLATER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:
Senate Bill No. 952

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 9.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:
Senate Bill No. 624

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

SLATER, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:
Senate Bill No. 1340

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

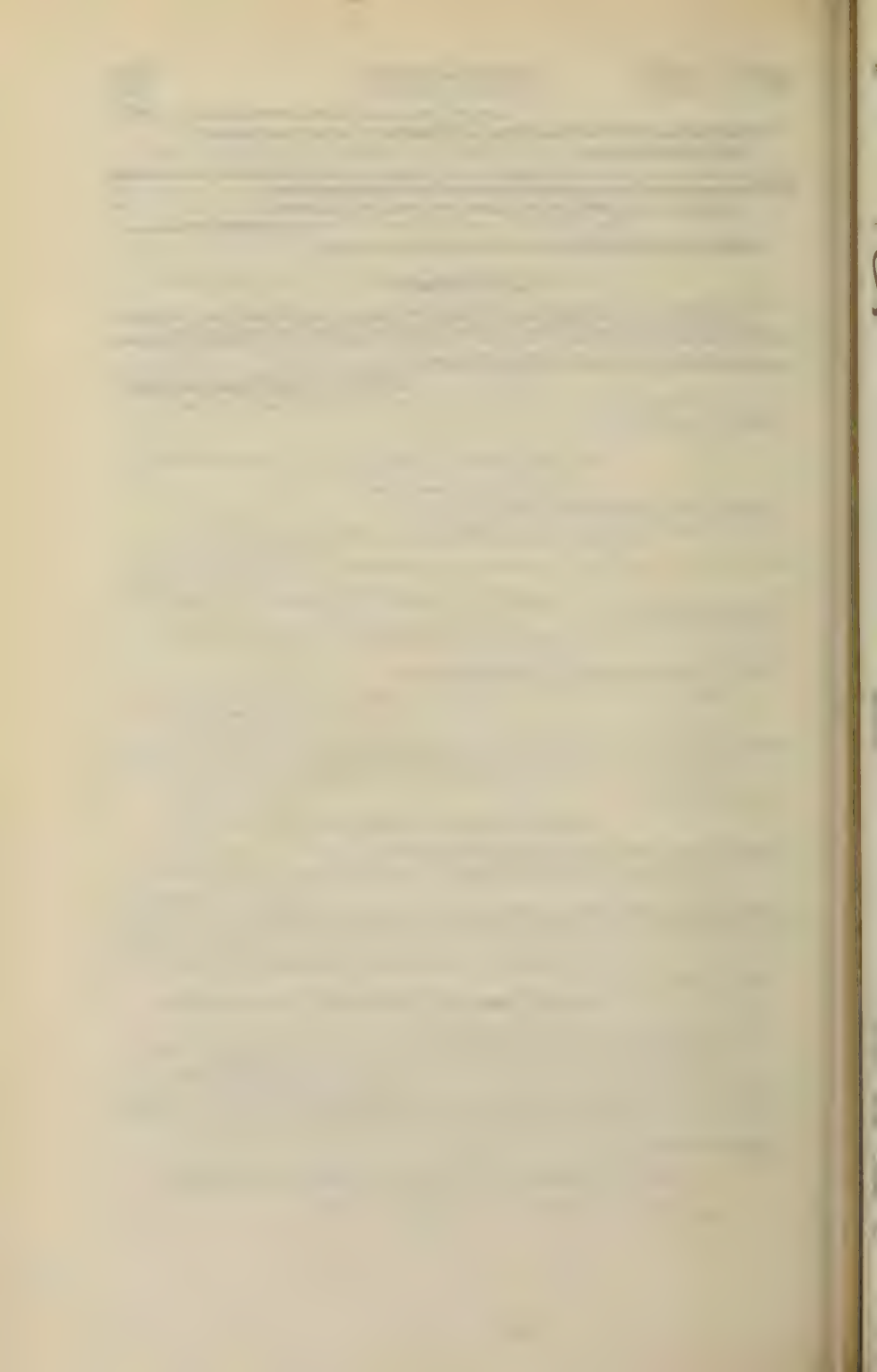
SLATER, Chairman

Above reported bill ordered to second reading.

ADJOURNMENT

At 12.50 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Monday, April 14, 1947, out of respect to the memory of the late Clyde Burgett.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FORTY-THIRD LEGISLATIVE DAY

NINETY-NINTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, April 14, 1947

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Collier, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Fannie Ensor and Miss Hattie Wilder of San Diego.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Merlyn Miner and Miss Rosemary Donnelly of Turlock.

On request of Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Major and Mrs. Knox Manning of Los Angeles.

On request of Senators Breed and Quinn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs.

Lloyd Groogan, Mrs. Elvira Carter, Mrs. Russell Countryman, and Miss Julia Murphy of Oakland.

On request of Senators Quinn and Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Helen McCarthy and Miss Florence McCarthy.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. George F. Buck, Mr. Forrest E. Macomber, and Ray E. Rowan of Stockton.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Leslie Claypool of West Hollywood.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

CALIFORNIA MARITIME ACADEMY, April 14, 1947

To the Senate of the State of California

This is to inform you that the training ship *Golden Bear* will be moored in the port of Stockton from Thursday, April 17th, to Sunday, April 20th, inclusive.

The *Golden Bear* has just returned from a training cruise, traversing not only the Pacific Ocean, but the Caribbean, the Gulf of Mexico, and portions of the Atlantic. She is the finest ship ever to be used by the Maritime Academy, and is open to inspection by state officials and Members of the Legislature, all of whom are most cordially invited to come aboard during any of the four days she will be at Stockton.

Faithfully and sincerely yours,

CLAUDE B. MAYO, Superintendent
California Maritime Academy

MESSAGES FROM THE ASSEMBLY

ASSEMBLY, CALIFORNIA LEGISLATURE

SACRAMENTO 14, CALIFORNIA, April 14, 1947

*Hon. Joseph A. Beek, Secretary of Senate
Senate Chamber, State Capitol, Sacramento 14, California*

DEAR MR. BEEK: By unanimous vote of the Assembly, I have been instructed to ask you to return to the Assembly, Assembly Bill No. 538.

Sincerely yours,

ARTHUR A. OHNIMUS

MOTION TO RETURN ASSEMBLY BILL NO. 538

Senator Powers moved that Assembly Bill No. 538 be withdrawn from the Committee on Judiciary, and returned to the Assembly pursuant to its request.

Motion carried.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 41

Senate Bill No. 300

Senate Bill No. 564

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 462

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 398

Assembly Bill No. 1074

Assembly Bill No. 1530

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 398—An act to amend Section 690 of the Elections Code, relating to election officers.

Referred to Committee on Elections.

Assembly Bill No. 1074—An act to amend Section 8401 of the Education Code, relating to the establishment of kindergartens.

Referred to Committee on Education.

Assembly Bill No. 1530—An act to amend Section 20301 of the Education Code to add Section 20429.1 to said code, relating to the state colleges.

Referred to Committee on Education.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 143

Assembly Bill No. 213

Assembly Bill No. 363

Assembly Bill No. 450

Assembly Bill No. 677

Assembly Bill No. 1171

Assembly Bill No. 1172

Assembly Bill No. 1176

Assembly Bill No. 1178

Assembly Bill No. 1180

Assembly Bill No. 1181

Assembly Bill No. 1402

Assembly Bill No. 1404

Assembly Bill No. 1427

Assembly Bill No. 1490

Assembly Bill No. 1493

Assembly Bill No. 1841

Assembly Bill No. 1842

Assembly Bill No. 1844

Assembly Bill No. 1845

Assembly Bill No. 1847

Assembly Bill No. 1849

Assembly Bill No. 1851

Assembly Bill No. 1852

Assembly Bill No. 1855

Assembly Bill No. 1450

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 143—An act to add Sections 468.1 and 759 to, and to amend Sections 468, 476, 477, and 758 of, the Vehicle Code, relating to signs and traffic signaling devices.

Referred to Committee on Transportation.

Assembly Bill No. 213—An act to add Section 44.11 to the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation.

Assembly Bill No. 363—An act to amend Section 1393 of the Labor Code, relating to the employment of minors.

Referred to Committee on Labor.

Assembly Bill No. 450—An act to amend Section 255 of the Revenue and Taxation Code, relating to affidavits for exemptions.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 677—An act to amend Section 1170 of the Harbors and Navigation Code, relating to pilotage rates.

Referred to Committee on Transportation.

Assembly Bill No. 1171—An act to add Section 2056 to the Harbors and Navigation Code, relating to the termination of contracts.

Referred to Committee on Transportation.

Assembly Bill No. 1172—An act to amend Section 2053 of the Harbors and Navigation Code, relating to bidding procedure.

Referred to Committee on Transportation.

Assembly Bill No. 1176—An act to add Section 2076 to the Harbors and Navigation Code, relating to lease of land for terminal facilities.

Referred to Committee on Transportation.

Assembly Bill No. 1178—An act to amend Section 1700 of the Harbors and Navigation Code, and to add Section 1700.5 thereto, relating to the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Transportation.

Assembly Bill No. 1180—An act to amend Section 1708 of the Harbors and Navigation Code, relating to reports to the Governor.

Referred to Committee on Transportation.

Assembly Bill No. 1181—An act to amend Section 1740 of the Harbors and Navigation Code, relating to the bond of the Chief Engineer.

Referred to Committee on Transportation.

Assembly Bill No. 1402—An act to amend Section 18575 of the Government Code, relating to service by mail by the State Personnel Board.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1404—An act to add Section 18682 to the Government Code, relating to hearings by the State Personnel Board.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1427—An act to add Sections 3083.1 and 3462.1 to the Welfare and Institutions Code, relating to eye examinations for blind aid.

Referred to Committee on Social Welfare.

Assembly Bill No. 1490—An act to amend Section 640 of the Vehicle Code, relating to lights on vehicles.

Referred to Committee on Transportation.

Assembly Bill No. 1493—An act to amend Sections 20019, 20306, 20457, 20458, 20492, 20606, 20607, 20608, and 20803 of, and to add Section 20021.5 to, the Government Code, relating to the State Employees' Retirement System, and providing for the inclusion of county peace officers therein.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1841—An act to amend the chapter heading of Chapter 1, Part 4, Division 6 and to amend Sections 6500 and 154 of the Welfare and Institutions Code, relating to the Department of Mental Hygiene and providing for the designation of temporary state mental institutions and the use thereof.

Referred to Committee on Institutions.

Assembly Bill No. 1842—An act to amend Section 160 of the Welfare and Institutions Code, relating to the deportation of nonresident patients of state hospitals.

Referred to Committee on Institutions.

Assembly Bill No. 1844—An act to add Section 155 to the Welfare and Institutions Code, relating to the acceptance of grants and gifts by the Director of Mental Hygiene.

Referred to Committee on Institutions.

Assembly Bill No. 1845—An act to amend the chapter heading of Chapter 2, Division 1, and Sections 157, 158, 6505, 6556, 6559, 6561, 6562, 7003, and 7004 of, and to add Sections 6557.5, 6560.3, and 6560.5 to, the Welfare and Institutions Code, relating to the Department of Mental Hygiene, and providing for the qualifications, appointment, compensation, powers, and duties of officers and employees of institutions subject to the jurisdiction of the department.

Referred to Committee on Institutions.

Assembly Bill No. 1847—An act to amend Section 6514 of the Welfare and Institutions Code, relating to training schools and courses for employees of the Department of Mental Hygiene and of institutions within the department.

Referred to Committee on Institutions.

Assembly Bill No. 1849—An act to amend Section 6564 of the Welfare and Institutions Code, relating to the operation of canteens on the grounds of state institutions.

Referred to Committee on Institutions.

Assembly Bill No. 1851—An act to amend Sections 6660 and 6660.5 and to repeal Section 6662 of the Welfare and Institutions Code, relating to guardianship and administration of estates of hospital patients and to protect those estates where the value does not warrant guardianship, and providing for the department through its designated officer or employee to perform such functions.

Referred to Committee on Institutions.

Assembly Bill No. 1852—An act to repeal Section 6664 of the Welfare and Institutions Code, relating to the payment of expenses by the county when a person committed to a state institution is charged with a crime.

Referred to Committee on Judiciary.

Assembly Bill No. 1855—An act to amend Section 5406 of the Welfare and Institutions Code, relating to dipsomaniacs, inebriates and addicts and their discharge from state hospitals.

Referred to Committee on Institutions.

Assembly Bill No. 1450—An act to amend Sections 2 and 3.5 of the Property Acquisition Act, relating to the acquisition by the State of real property for use in furtherance of the postwar construction program, abolishing the Property Acquisition Board and transferring its powers, duties, purposes, responsibilities, and jurisdiction to the State Public Works Board.

Referred to Committee on Governmental Efficiency.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 363

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By C. W. QUEALE, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1174

Assembly Bill No. 2597

Assembly Bill No. 2120

Assembly Bill No. 2661

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By C. W. QUEALE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 1174—An act to amend Section 3006 of the Harbors and Navigation Code, relating to deposit of dredge spoil.

Referred to Committee on Transportation.

Assembly Bill No. 2120—An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code;

and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2597—An act making an appropriation for Emergency Fund in augmentation of the appropriation in Item 275 of the Budget Act of 1945, to take effect immediately.

Referred to Committee on Finance.

Assembly Bill No. 2661—An act making an appropriation for expenses of Members of the Assembly, to take effect immediately.

Request for Unanimous Consent

Senator Powers asked for, and was granted, unanimous consent to take up Assembly Bill No. 2661, at this time, for consideration.

CONSIDERATION OF ASSEMBLY BILL NO. 2661

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Powers:

Resolved, That Assembly Bill No. 2661 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 2661—An act making an appropriation for expenses of Members of the Assembly, to take effect immediately.

Bill read second time.

Assembly Bill No. 2661—An act making an appropriation for expenses of Members of the Assembly, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1523

Senator Keating moved that Senate Bill No. 1523 be withdrawn from Committee on Business and Professions, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1523—An act to add Section 5082.1 to the Business and Professions Code, relating to registration as a public accountant.
Bill read second time.

Motion to Amend

Senator Keating moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert “, declaring the urgency thereof, to take effect immediately.”

Amendment No. 2

On page 1, line 4, of said bill, after “requirements”, insert “of subdivision (a) of Section 5082 and was qualified to register as a public accountant under the provisions of Section 5082.”

Amendment No. 3

On page 1, line 5, of said bill, after “period”, insert “prescribed in that section”.

Amendment No. 4

On page 1, line 7, of said bill, after “upon”, insert “filing an application prior to March 15, 1948 and”.

Amendment No. 5

On page 1 of said bill, after line 8, insert

“SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

A number of qualified accountants through lack of knowledge or lack of notice failed to apply for registration as a public accountant within the term prescribed in the statute. Although the provisions of this act will permit such individuals to register, they may, until the provisions of this act become operative, be forced to abandon the practice of their profession or subject themselves to the penalty of practicing such profession in violation of the law. To avoid such loss to these individuals and the disruption occasioned thereby to the many small business firms of the State which are their clients it is therefore necessary that this act take immediate effect.”

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1174

Senator Swing moved that Senate Bill No. 1174 be withdrawn from Committee on Governmental Efficiency, for purpose of amendment.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1174—An act to amend Sections 19484 and 19538 of the Business and Professions Code, relating to horse racing.

Bill read second time.

Motion to Amend

Senator Swing moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after “19484”, insert “, 19485”.

Amendment No. 2

On page 1 of said bill, strike out line 4, and insert “meetings conducted by the State Agricultural Society, by a county fair, by a district agricul-”.

Amendment No. 3

On page 1, line 7, of said bill, strike out “Sec. 2”, and insert “SEC. 3.”

Amendment No. 4

On page 1, line 9, of said bill, after "19538.", insert "The board shall grant additional racing days during any one meeting equal to one day for each 10 regular racing days and one day for any regular racing days in excess of a multiple of 10 regular racing days not to exceed a total of five additional days, to be conducted as charity days by a nonprofit organization or corporation which is operated exclusively for religious, charitable, scientific, literary, or educational purposes or for the prevention of cruelty to children or animals, and no part of the earnings of which shall inure to the benefit of any member or individual. The licensee of the meeting shall select the nonprofit organization or corporation which is to conduct any charity day racing.

The board shall issue a license for each permitted charity day to the selected nonprofit organization or corporation, and racing shall be conducted by such charity day licensee, provided that notwithstanding any other provision in this chapter to the contrary, the charity day licensee shall select as agent for the actual conduct of racing on such day the licensee of the meeting in connection with which the charity day racing is held, who shall conduct such racing as agent.

On each permitted charity day, the income resulting from the conduct of racing operations on such day, including pari-mutuel income, admissions, parking income, program sales and concessions, shall be income of the charity day licensee. There may be deducted from the gross income from racing operations on a charity day only such payment as may be made to the licensee of the meeting as agent for the actual conduct of racing, which payment shall consist only of direct expenses incurred by such agent because of the conduct of racing on such day and shall not include any general overhead expense or any charge for rent for the track. The agent for the actual conduct of racing shall furnish all property, funds, personnel and equipment necessary for the conducting of racing."

Amendment No. 5

On page 1 of said bill, strike out lines 17 to 28, inclusive.

Amendment No. 6

On page 2 of said bill, strike out lines 1 to 27, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES

Committee on Elections

SENATE CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: The Committee on Elections, to which was referred:
Senate Constitutional Amendment No. 6

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

CARTER, Chairman

Above reported resolution ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: The Committee on Elections, to which were referred:

Senate Bill No. 65

Senate Bill No. 749

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

CARTER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: The Committee on Elections, to which was referred:

Senate Bill No. 362

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; noes 1; absent 3.

CARTER, Chairman

Above reported bill ordered to second reading.

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 1057
Senate Bill No. 1058
Senate Bill No. 1060
Senate Bill No. 1063
Senate Bill No. 1064

Senate Bill No. 1065
Senate Bill No. 1067
Senate Bill No. 1070
Senate Bill No. 1071
Senate Bill No. 849

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

BREED, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1061

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 10, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 249

Senate Bill No. 490

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

BREED, Chairman

Above reported bills ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 732—An act to add Section 3722 to the Political Code, relating to the organization of river port districts for assessment and taxation purposes, declaring the urgency thereof and providing that it shall take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the eleventh day of April, 1947, at 12 m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 807

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 11, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 804

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1553—An act making an appropriation for expenses of Members of the Senate pursuant to Section 352 of the Political Code, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the fourteenth day of April, 1947, at 11 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 229

Senate Bill No. 290

Senate Bill No. 714

Senate Bill No. 1552

And reports the same correctly engrossed.

POWERS, Chairman

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

Senate Bill No. 82—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners in municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Local Government:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "shall receive six hundred dollars (\$600) per month", and insert "three of them shall receive five hundred sixty dollars (\$560) per month and the fourth shall act without compensation".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 83—An act to amend Section 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 19, inclusive, and insert

"One chief division clerk who shall receive a minimum salary of three hundred seventy-five dollars (\$375) monthly with annual increments of twenty dollars (\$20), twenty-two dollars (\$22), twenty-three dollars (\$23), and twenty-four dollars (\$24) to a maximum of four hundred sixty-four dollars (\$464) monthly.

One assistant chief division clerk who shall receive a minimum salary of three hundred thirty-seven dollars (\$337) monthly with annual increments of eighteen dollars (\$18), twenty dollars (\$20), twenty dollars (\$20), and twenty-two dollars (\$22) to a maximum of four hundred seventeen dollars (\$417) monthly.

Thirty-four deputy marshals, each of whom shall receive a minimum salary of two hundred fifty-nine dollars (\$259) monthly with annual increments of fourteen dollars (\$14), fifteen dollars (\$15), fifteen dollars (\$15), and sixteen dollars (\$16) to a maximum of three hundred nineteen dollars (\$319) monthly.

Seventeen bailiffs, each of whom shall receive a minimum salary of one hundred ninety dollars (\$190) monthly with annual increments of ten dollars (\$10), eleven dollars (\$11), eleven dollars (\$11), and twelve dollars (\$12) to a maximum of two hundred thirty-three dollars (\$233) monthly.

Fourteen bailiffs, each of whom shall receive a salary of two hundred thirty-five dollars (\$235) monthly.

One executive secretary who shall receive a minimum salary of two hundred forty-six dollars (\$246) monthly with annual increments of thirteen dollars (\$13), fourteen dollars (\$14), fifteen dollars (\$15), and fifteen dollars (\$15) to a maximum of three hundred three dollars (\$303) monthly.

One senior typist-clerk and one senior clerk, each of whom shall receive a minimum salary of two hundred dollars (\$200) monthly with annual increments of eleven dollars (\$11), ten dollars (\$10), twelve dollars (\$12), and thirteen dollars (\$13) to a maximum of two hundred forty-six dollars (\$246) monthly.

One senior clerk and one bookkeeper-cashier, each of whom shall receive a salary of two hundred sixty dollars (\$260) monthly.

One bookkeeper-cashier and two information clerks, each of whom shall receive a minimum salary of one hundred eighty-one dollars (\$181) monthly with annual increments of nine dollars (\$9), ten dollars (\$10), eleven dollars (\$11), and ten dollars (\$10) to a maximum of two hundred twenty-one dollars (\$221) monthly.

Two information clerks, each of whom shall receive a salary of two hundred thirty-five dollars (\$235) monthly.

Two bookkeeping machine operators and two clerks, each of whom shall receive a minimum salary of one hundred eighty-one dollars (\$181) monthly with annual increments of nine dollars (\$9), ten dollars (\$10), eleven dollars (\$11), and ten dollars (\$10) to a maximum of two hundred twenty-one dollars (\$221) monthly.

Six typist-clerks, each of whom shall receive a minimum salary of one hundred sixty-five dollars (\$165) monthly with annual increments of eight dollars (\$8), eight dollars (\$8), nine dollars (\$9), and ten dollars (\$10) to a maximum of two hundred dollars (\$200) monthly."

Amendment No. 2

On page 2 of the printed bill, following line 15, insert

"Any person employed in the service on the effective date of this section whose rate of compensation is established on a five step basis by this section, shall be entitled to receive that step rate of compensation which is next higher to that received by such person prior to the effective date of this section. Thereafter, such person shall be entitled to receive such annual increments within the five step rate range as may be provided for his position up to the maximum rate set. Changes of title created by this section shall not affect an employee's right to receive such increased compensation under the five-step plan.

Any person employed in the service on the effective date of this section, whose rate of compensation as established on the five-step basis by this section provides a rate of compensation less than that received by him immediately prior to the effective date of this section, shall be entitled to receive compensation at his former rate. Upon vacating his position, replacement shall be made with compensation provided under the five-step plan. In no case shall the number filled positions for a given title exceed the number set up to be paid on a five-step basis."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 84—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction,

and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Local Government:

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 to 21, inclusive; and on page 2, strike out lines 1 to 12, inclusive, and insert

"Four chief division clerks (one to serve as chief clerk of the traffic department, one to serve as chief clerk of the civil department, one to serve as chief clerk of the criminal department, and one to serve as chief clerk of the accounting department) each of whom shall receive a minimum salary of three hundred ninety-five dollars (\$395) monthly with annual increments of twenty-two dollars (\$22), twenty-three dollars (\$23), twenty-four dollars (\$24), and twenty-five dollars (\$25) to a maximum of four hundred eighty-nine dollars (\$489) monthly.

Four assistant chief division clerks, each of whom shall receive a minimum salary of three hundred thirty-seven dollars (\$337) monthly with annual increments of eighteen dollars (\$18), twenty dollars (\$20), twenty dollars (\$20), and twenty-two dollars (\$22) to a maximum of four hundred seventeen dollars (\$417) monthly.

One legal consultant who shall receive a minimum salary of three hundred seventy-five dollars (\$375) monthly with annual increments of twenty dollars (\$20), twenty-two dollars (\$22), twenty-three dollars (\$23), and twenty-four dollars (\$24) to a maximum of four hundred sixty-four dollars (\$464) monthly.

One senior municipal court clerk (presiding judge) who shall receive a minimum salary of three hundred nineteen dollars (\$319) monthly with annual increments of eighteen dollars (\$18), eighteen dollars (\$18), twenty dollars (\$20), and twenty dollars (\$20) to a maximum of three hundred ninety-five dollars (\$395).

Six senior municipal court clerks, each of whom shall receive a minimum salary of two hundred eighty-eight dollars (\$288) monthly with annual increments of fifteen dollars (\$15), sixteen dollars (\$16), eighteen dollars (\$18), and eighteen dollars (\$18) to a maximum of three hundred fifty-five dollars (\$355) monthly.

Forty-three municipal court clerks, each of whom shall receive a minimum salary of two hundred thirty-three dollars (\$233) monthly with annual increments of thirteen dollars (\$13), thirteen dollars (\$13), fourteen dollars (\$14), and fifteen dollars (\$15) to a maximum of two hundred eighty-eight dollars (\$288) monthly.

Two executive secretaries, each of whom shall receive a minimum salary of two hundred forty-six dollars (\$246) monthly with annual increments of thirteen dollars (\$13), fourteen dollars (\$14), fifteen dollars (\$15), and fifteen dollars (\$15) to a maximum of three hundred three dollars (\$303) monthly.

Fourteen assistant municipal court clerks, each of whom shall receive a minimum salary of two hundred twenty-one dollars (\$221) monthly with annual increments of twelve dollars (\$12), thirteen dollars (\$13), thirteen dollars (\$13), and fourteen dollars (\$14) to a maximum of two hundred seventy-three dollars (\$273) monthly.

Ten senior legal stenographers, each of whom shall receive a minimum salary of two hundred twenty-one dollars (\$221) monthly with annual increments of twelve dollars (\$12), thirteen dollars (\$13), thirteen dollars (\$13), and fourteen dollars (\$14) to a maximum of two hundred seventy-three dollars (\$273) monthly.

Five senior law clerks, each of whom shall receive a minimum salary of two hundred eleven dollars (\$211) monthly with annual increments of ten dollars (\$10), twelve dollars (\$12), thirteen dollars (\$13), and thirteen dollars (\$13) to a maximum salary of two hundred fifty-nine dollars (\$259) monthly.

Seventeen senior typist-clerks, each of whom shall receive a minimum salary of two hundred dollars (\$200) monthly with annual increments of eleven dollars (\$11), ten dollars (\$10), twelve dollars (\$12), and thirteen dollars (\$13) to a maximum of two hundred forty-six dollars (\$246) monthly.

Fifteen senior clerks, each of whom shall receive a minimum salary of two hundred dollars (\$200) monthly with annual increments of eleven dollars (\$11), ten dollars (\$10), twelve dollars (\$12), and thirteen dollars (\$13) to a maximum of two hundred forty-six dollars (\$246) monthly.

One senior clerk and one information clerk, each of whom shall receive a salary of two hundred eighty-five dollars (\$285) per month.

Five tellers and one bond clerk, each of whom shall receive a minimum salary of one hundred ninety dollars (\$190) monthly with annual increments of ten dollars (\$10), eleven dollars (\$11), ten dollars (\$10), and twelve dollars (\$12) to a maximum of two hundred thirty-three dollars (\$233) monthly.

One appeals clerk, eight information clerks, and three bookkeeping machine operators, each of whom shall receive a minimum salary of one hundred eighty-one dollars (\$181) monthly with annual increments of nine dollars (\$9), ten dollars (\$10), eleven dollars (\$11), and eleven dollars (\$11) to a maximum of two hundred twenty-one dollars (\$221) monthly.

One appeals clerk, one information clerk, and one bookkeeping machine operator, each of whom shall receive a salary of two hundred thirty dollars (\$230) monthly.

One assistant municipal court clerk (presiding judge) who shall receive a minimum salary of two hundred forty-six dollars (\$246) monthly with annual increments of thirteen dollars (\$13), fourteen dollars (\$14), fifteen dollars (\$15), and fifteen dollars (\$15) to a maximum of three hundred three dollars (\$303) monthly.

Seven law clerks, each of whom shall receive a minimum salary of two hundred dollars (\$200) monthly with annual increments of eleven dollars (\$11), ten dollars (\$10), twelve dollars (\$12), and thirteen dollars (\$13) to a maximum of two hundred forty-six dollars (\$246) monthly.

One stenographer and eight clerks, each of whom shall receive a minimum salary of one hundred eighty-one dollars (\$181) monthly with annual increments of nine dollars (\$9), ten dollars (\$10), eleven dollars (\$11), and twelve dollars (\$12) to a maximum of two hundred thirty-three dollars (\$233) monthly.

Nineteen typist-clerks and one file clerk, each of whom shall receive a minimum salary of one hundred sixty-five dollars (\$165) monthly with annual increments of eight dollars (\$8), eight dollars (\$8), nine dollars (\$9), and ten dollars (\$10) to a maximum of two hundred dollars (\$200) monthly.

Any person employed in the service on the effective date of this section whose rate of compensation is established on a five-step basis by this section, shall be entitled to receive that step rate of compensation which is next higher to that received by such person prior to the effective date of this section. Thereafter, such person shall be entitled to receive such annual increments within the five-step rate range as may be provided for his position, up to the maximum rate set. Changes of title created by this section shall not affect an employee's right to receive such increased compensation under the five-step plan.

Any person employed in the service on the effective date of this section, whose rate of compensation as established on the five-step basis by this section provides a rate of compensation less than that received by him immediately prior to the effective date of this section, shall be entitled to receive compensation at his former rate. Upon vacating his position, replacement shall be made with compensation provided under the five-step plan. In no case shall the number of filled positions for a given title exceed the number set up to be paid on a five-step basis."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 85—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "six hundred fifty dollars (\$650) per month", and insert "a minimum salary of six hundred forty-one dollars (\$641) monthly with annual increments of thirty-six dollars (\$36), thirty-eight dollars (\$38), forty dollars (\$40), and forty-two dollars (\$42) to a maximum of seven hundred ninety-seven dollars (\$797) monthly."

Amendment No. 2

On page 1, line 18, of the printed bill, strike out "six hundred dollars (\$600) per month", and insert "a minimum salary of five hundred forty-five dollars (\$545) monthly with annual increments of thirty dollars (\$30), thirty-three dollars (\$33), thirty-three dollars (\$33), and thirty-six dollars (\$36) to a maximum of six hundred seventy-seven dollars (\$677) monthly."

Amendment No. 3

On page 1 of the printed bill, following line 20, insert

"Any person employed in the service on the effective date of this section, whose rate of compensation is established on a five-step basis by this section, shall be entitled to receive that step rate of compensation which is next higher than that received by such person prior to the effective date of this section. Thereafter, such person shall be entitled to receive such annual increments within the five-step rate range as may be provided for his position, up to the maximum rate set. Changes of title created by this section shall not affect an employee's right to receive such increased compensation under the five-step plan."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 91—An act to amend Section 10b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and one-half class, and the marshals and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 28, inclusive, and insert

"Two chief deputy marshals, each of whom shall receive a minimum salary of two hundred seventy-three dollars (\$273) monthly with annual increments of fifteen dollars (\$15), fifteen dollars (\$15), sixteen dollars (\$16), and eighteen dollars (\$18) to a maximum of three hundred thirty-seven dollars (\$337) monthly.

Six deputy marshals, each of whom shall receive a minimum salary of two hundred fifty-nine dollars (\$259) monthly with annual increments of fourteen dollars (\$14), fifteen dollars (\$15), fifteen dollars (\$15), and sixteen dollars (\$16) to a maximum of three hundred nineteen dollars (\$319) monthly.

Five bailiffs, each of whom shall receive a minimum salary of one hundred ninety dollars (\$190) monthly with annual increments of ten dollars (\$10), eleven dollars (\$11), ten dollars (\$10), and twelve dollars (\$12) to a maximum of two hundred thirty-three dollars (\$233) monthly.

One senior legal stenographer who shall receive a minimum salary of two hundred twenty-one dollars (\$221) monthly with annual increments of twelve dollars (\$12), thirteen dollars (\$13), thirteen dollars (\$13), and fourteen dollars (\$14) to a maximum of two hundred seventy-three dollars (\$273) monthly.

One senior legal stenographer who shall receive a salary of two hundred seventy-five dollars (\$275) monthly.

Two typist-clerks, each of whom shall receive a minimum salary of one hundred sixty-five dollars (\$165) monthly with annual increments of eight dollars (\$8), eight dollars (\$8), nine dollars (\$9), and ten dollars (\$10) to a maximum of two hundred dollars (\$200) monthly.

One typist-clerk who shall receive a salary of two hundred fifty dollars (\$250) per month."

Amendment No. 2

On page 2 of the printed bill, strike out lines 21 to 30, inclusive, and insert

"Any person employed in the service on the effective date of this section, whose rate of compensation is established on a five-step basis by this section, shall be entitled to receive that step rate of compensation which is next higher to that received by such person prior to the effective date of this section. Thereafter, such person shall be entitled to receive such annual increments within the five-step rate range as may be provided for his position, up to the maximum rate set. Changes of title created by this section shall not affect an employee's right to receive such increased compensation under the five-step plan.

Any person employed in the service on the effective date of this section, whose rate of compensation as established on the five-step basis by this section provides a rate of compensation less than that received by him immediately prior to the effective date of this section, shall be entitled to receive compensation at his former rate. Upon vacating his position, replacement shall be made with compensation provided under the five-step plan. In no case shall the number of filled positions for a given title exceed the number set up to be paid on a five-step basis."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 655—An act to amend Sections 14254, 14256, 14272, 14273, 14290, and 14292 of the Government Code, relating to state contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 14254, 14256, 14272, 14273, 14290,"; and in line 2, strike out "and 14292", and insert "Section 14256".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert "SECTION 1. Section 14256 of the Government Code is amended to read:".

Amendment No. 3

On page 1 of said bill, strike out lines 16 to 26, inclusive; and strike out all of page 2.

Amendments read and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 1225—An act to provide for a Commission for the Revision and Codification of the Election Laws, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "Director of Finance", and insert "Attorney General, or their nominees".

Amendment No. 2

On page 1 of said bill, strike out line 25, and insert "ten thousand dollars (\$10,000), or so much thereof as may be".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 610—An act to provide for participation by the State of California in public celebrations and exhibits to be held throughout the State during 1948, 1949 and 1950 commemorating significant events in the history of the State, creating a commission therefor, defining its powers and duties, providing for advisory committees, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 2, line 42, of the printed bill, strike out "_____ dollars (\$_____)", and insert "two hundred thousand dollars (\$200,000)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 984—An act to add Section 20836.5 to the Government Code, relating to the State Employees' Retirement System, and providing for allocation and payment of the cost of prior service rendered by local members to more than one contracting agency.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 20836.5 to", and insert "amend Section 20867 of".

Amendment No. 2

In line 3 of the title of said bill, strike out "prior".

Amendment No. 3

On page 1, line 1, of said bill, strike out "20836.5 is added to the Government", and insert "20867 of the Government Code is amended to read:".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out all of lines 2 to 14, inclusive, and insert

"20867. If a [member] *person* has been employed by the State or one or more contracting agencies in any relative order and regardless of whether the employment was before or after the effective date of the contract, a break of one year or less between such employments does not affect his right to receive credit nor the liability of such employers for all state service rendered in their respective employments, and such service shall be included in the calculation of the liability of the respective employers under said contracts.

If the break is more than one year no liability exists, and he shall not receive credit [,] for state service rendered prior to such break except for prior service as a state member."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 656—An act to amend Section 126 of the Government Code, relating to the acquisition of land in this State by the United States.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 184—An act to amend Section 4280 of the Political Code and Section 28151 of the Government Code, relating to compensation for public services in counties of the fifty-first class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Local Government:

Amendment No. 1

On page 1 of the printed bill, strike out line 7, and insert "thousand dollars (\$3,000), in".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1111—An act to amend Sections 8.5, 45.5, 45.8, 45.9, 45.10, and 64 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 64 of", and insert "64, 305, and 452 of, and repeal Sections 67 and 68 of, and add Sections 67, 68, and 68.1 to".

Amendment No. 2

On page 5, lines 32 and 33, of said bill, strike out "If any amount required to be paid under this act is not paid when due," and insert "If an employing unit is delinquent in a payment of any contributions, penalties or interest provided for in this act,".

Amendment No. 3

On page 6 of said bill, strike out lines 42 and 43, and insert "the date of mailing or serving of the notice of overpayment, such person may file an appeal to a referee. The referee, after affording reasonable opportunity for a fair hearing, shall, unless such appeal is withdrawn, affirm, set aside, or modify the findings set forth in the notice of overpayment. The party shall be duly notified of the referee's decision, together with his reasons therefor, which shall be deemed to be final unless within ten (10) days from the date of notification or mailing of such decision a further appeal is initiated to the Appeals Board pursuant to the provisions of Section 72 of this act."

Amendment No. 4

On page 6 of said bill, strike out lines 47 to 52, inclusive; and on page 7, strike out lines 1 to 6, inclusive, and insert

"(c) The commission, subject to the provisions of subsections (a) and (b) hereof, may recover the amount of overpayment during a current benefit year or a benefit year established within two years of the current benefit year or file a civil action for recovery of such overpayment within two years from the date thereof."

Amendment No. 5

On page 7 of said bill, after line 13, insert

"SEC. 7. Section 305 of said act is amended to read:

SEC. 305. Withdrawals by the commission from the Disability Fund for the payment of refunds or judgments and the payment of unemployment compensation disability benefits are exempted from the operation of Section 16003 of the Government Code. The commission shall, as soon as practicable after the end of each calendar quarter, file with the Governor, the State Department of Finance, and the Controller an abstract or statement showing the resources and liabilities and a summary statement of the transactions affecting the Disability Fund created by this article and the various accounts thereof. The Department of Finance shall audit such abstracts and statements.

SEC. 8. Section 452 of said act is amended to read:

SEC. 452. If the plan does not provide for the assumption by an admitted disability insurer of the liability of the employer to pay the benefits afforded thereby, the commission shall not approve it unless the employer files with the commission the bond of an admitted surety insurer conditioned on the payment by the employer of his obligations under the plan, or deposits with the commission securities approved by the commission to secure the payment of such obligations. The penal sum of the bond or the amount of the deposit shall be determined by the commission and shall be not less than one-half of the contributions which would have been paid by the employees to be covered by the plan during the preceding year, or one-half of the estimated contributions of such employees for the ensuing year, whichever is greater. Such bond, moneys, or securities shall first be approved by the commission and upon the written order of the commission be deposited with the State Treasurer for the purpose herein specified. The Treasurer shall give his receipt therefor and thereafter hold such deposits of bond, moneys, or securities as the case may be for the security and protection of which the same was deposited and the State shall be responsible for the custody and safe return of any securities so deposited with the State Treasurer.

SEC. 9. Sections 67 and 68 of said act are repealed.

SEC. 10. Section 67 is added to said act, to read:

SEC. 67. (a) A notice of filing of a new or additional claim shall be given to the employing unit by which the claimant was last employed immediately preceding the filing of a claim for benefits.

(b) A computation on the claim shall be made, which shall set forth the maximum award of benefits potentially payable and the weekly benefit amount. The claimant

and each of the claimant's base period employers shall be promptly notified of such computation.

(c) Upon the receipt of any notice as provided in subsections (a) and (b) of this section, the employer, employing unit, or claimant so notified may protest the accuracy of the computation and shall inform the department of any facts which may affect the claimant's entitlement to benefits.

(d) Subsequent to the receipt of any notice as provided in subsections (a) and (b) of this section, an employer or employing unit acquiring information which may affect the claimant's entitlement to benefits and which could not reasonably have been known when notification as hereinbefore provided was received, shall inform the department thereof.

(e) A determination shall be promptly made whenever an employer, employing unit, or the claimant protests the computation or submits information pursuant to subsections (c) and (d) of this section. The claimant and such employer or employing unit shall be notified of the determination and may appeal therefrom to a referee within seven days from mailing or personal service of the determination, whichever is the later, provided that said seven day limitation may be extended for good cause.

(f) A determination as to the entitlement of the claimant for benefits may be made upon the initiative of the department at any time. If benefits are denied for any week pursuant to such determination, the claimant shall be promptly notified of the denial and the reasons therefor and may appeal therefrom in the manner provided in subsection (e) hereof. If such determination allows benefits for any week contrary to a previous determination made upon information submitted by an employer or employing unit pursuant to subsection (e) of this section, that employer or employing unit shall be promptly notified of the determination and the reasons therefor and may appeal therefrom in the manner provided in subsection (e) of this section.

(g) Any computation or determination provided for in this section may be reconsidered by the department upon a showing of good cause. Notification of any reconsidered determination shall be given to the claimant and any employer or employing unit which received notification of the determination being reconsidered, and may appeal therefrom in the manner provided herein for appeals from other determinations.

(h) Notices, protests, and information required under this section shall be made pursuant to authorized regulations.

SEC. 11. Section 68 is added to said act, to read:

Sec. 68. A referee after affording a reasonable opportunity for fair hearing, shall, unless such appeal is withdrawn, affirm, reverse, or modify the determination. The claimant and any employer or employing unit becoming a party to the appeal by submitting a protest or information pursuant to Section 67 shall be duly notified of the referee's decision, together with his reasons therefor, which decision shall be deemed to be final, unless within 10 days after mailing of such decision, further appeal is initiated to the Appeals Board pursuant to Section 72 of this act; provided that said 10 day limitation may be extended for good cause.

Sec. 12. Section 68.1 is added to said act, to read:

Sec. 68.1. If an appeal is duly filed, benefits with respect to the period prior to the final decision on the appeal shall be paid only after such decision, except as hereinafter provided. If benefits for any week are payable in accordance with a determination by the department irrespective of the decision on the issues set forth in the appeal, such benefits shall be promptly paid regardless of such appeal. If a referee affirms a determination allowing benefits, such benefits shall be paid regardless of any appeal which may thereafter be taken, and regardless of any action taken under Section 72 of this act or otherwise by the commission, Appeals Board, or other administrative body or by any court; but if such determination is finally reversed, no employer's account shall be charged with benefits so paid as to each determination so reversed."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 566—An act to amend Section 1622 of the Welfare and Institutions Code, relating to state payments for the inspection and licensing of boarding homes and institutions for children.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 567—An act to amend Section 2302 of the Welfare and Institutions Code, relating to state payments for the inspection and licensing of boarding homes and institutions for aged.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1110—An act to amend Section 252 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Benefits and physicians' certificates thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "as to", and insert "stating".

Amendment No. 2

On page 1, line 9, of the printed bill, strike out "upon which claimant"; and in line 10, strike out "bases his claim that he is disabled", and insert "his conclusion with respect to the disability of the claimant and his opinion with respect to probable duration thereof".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1156—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 993—An act to amend Sections 18661, 18662, and 18671 of the Education Code, relating to the dedication, sale and leasing of real property belonging to school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, after "sale", insert "granting".

Amendment No. 2

In line 3 of the title of said bill, after "districts", insert "and of interests therein".

Amendment No. 3

On page 1, line 4, of said bill, after "sell", insert "or grant or quit claim all or any of its interest in,".

Amendment No. 4

On page 1, line 11, of said bill, after "lease", insert "or grant of an interest in real property".

Amendment No. 5

On page 1 of said bill, after line 28, insert

"SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

A number of cities in California have voted bonds to pay for playgrounds, swimming pools, athletic fields and other recreational facilities and have other funds available for such purposes. Titles to some lands available as sites for such installations are in a state of confusion by virtue of past transactions by the cities and school districts and among school districts. Serious question has arisen as to whether city bond funds may be expended lawfully on lands owned by a school district.

By giving immediate effect to this measure cities will be able to start construction of these recreational facilities at once and have them available for use by school children and adults by the summer of 1947 instead of having to delay such construction until the spring of 1948.

The early operation of these facilities will promote the health and welfare of the inhabitants of many communities in California and will reduce juvenile delinquency therein."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1214—An act to amend Section 18191 of the Education Code, relating to the construction of school buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "fifteen", and insert "eight".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "(\$15,000)", and insert "\$8,000".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 952—An act to provide for the purchase of uniforms for members of the California Cadet Corps and providing an appropriation therefor.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "----- dollars (\$-----)", and insert "twenty-five thousand dollars (\$25,000)".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 1340—An act to add Section 5009 to the Education Code, relating to audits and making an appropriation to the Department of Finance therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 11, of the printed bill, after "audit", insert "and audits provided for in Article 6, Chapter 9, Division 3 of the Education Code."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1062—An act to amend Section 1 of the Annexation of Uninhabited Territory Act of 1939, relating to the alteration of boundaries of municipalities.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1340—An act to ratify and confirm city ordinances which granted pueblo lands for cemetery purposes.

Bill read second time, and ordered to third reading.

Assembly Bill No. 594—An act to amend Section 18102 of the Government Code, relating to use of accumulated vacation by state employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 597—An act to amend Section 19501 of the Government Code, relating to disciplinary proceedings in the state civil service.

Bill read second time, and ordered to third reading.

Assembly Bill No. 598—An act to amend Section 19538 of the Government Code, relating to payment of salary upon recertification to a position in the state civil service.

Bill read second time, and ordered to third reading.

Assembly Bill No. 599—An act to amend Section 19141 of the Government Code, relating to reinstatement of employees in the state civil service.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1048—An act to add Section 3084.3 to the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read second time, and ordered to third reading.

Assembly Bill No. 401—An act to add Section 120.7 to the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Bill read second time, and ordered to third reading.

Assembly Bill No. 93—An act to amend Sections 2024 and 2186 of the Welfare and Institutions Code, relating to aid to the aged, and providing for payments and re-payments thereof, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1527—An act to add Section 2186.1 to the Welfare and Institutions Code, relating to old age security funds.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1531—An act to amend Section 20343.1 of the Education Code, relating to the refund of state college student fees.

Bill read second time, and ordered to third reading.

President Pro Tempore of the Senate Presiding

At 2.30 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Senate Joint Resolution No. 16 was taken up.

Senate Joint Resolution No. 16—Relative to the ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States, relating to the terms of office of the President.

Resolution read.

Motion to Re-Refer Senate Joint Resolution No. 16

Senator Keating moved that Senate Joint Resolution No. 16 be re-referred to Committee on Rules.

Roll Call Demanded

Senators Quinn, Carter, and Breed demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Senators Brown, Burns, Carter, Deuel, Dillinger, Donnelly, Keating, McBride, O'Gara, Quinn, and Slater—11.

NOES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McCormack, Parkman, Powers, Rich, Salsman, Sutton, Tenney, Ward, Watson, Weybret, and Williams—25.

Further Consideration of Senate Joint Resolution No. 16

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Busch, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—Senators Brown, Burns, Carter, Deuel, Dillinger, Donnelly, Keating, McBride, O'Gara, and Slater—10.

Resolution ordered transmitted to the Assembly.

RECESS

At 3.15 p.m., on motion of Senator Powers, the Senate recessed to allow J. A. Beek, Secretary of the Senate, to introduce his guest, Lieutenant Commander Edward Tremper of the United States Naval Reserve, former Executive Officer of the United States Destroyer Alden.

REASSEMBLED

At 3.20 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 1439—An act to amend Section 1 of "An act authorizing and empowering any county, city and county, or city in the State of California to donate, convey, and grant to the State of California, or to district agricultural associations thereof, any real property owned, held and used by it for fair ground and exposition purposes, or which it may hereafter acquire, hold and use for such purposes," approved July 11, 1935, relating to powers of counties, cities and counties, and cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Kraft, McBride, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Motion to Retain Place on File

Senator Burns moved that Senate Bills Nos. 805 and 806 be passed on file, and that they retain their places on file.

Motion carried.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 804—An act to add Chapter 7, comprising Sections 28280 to 28345, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40015 thereto, thereby consolidating and revising the law relating to sanitation in the production, handling, storage and sale of food, including food production establishments, food containers and food licensing, and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Jespersen, Judah, Kraft, McBride, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 807—An act to add Chapter 5, comprising Sections 28110 to 28160, inclusive, to Division 21 of the Health and Safety Code, and to add Section 40013 thereto, thereby consolidating and revising the law relating to cold storage, including refrigerating warehouses and food kept or preserved therein, and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Jespersen, Judah, McBride, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1329—An act to amend Section 6816 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Salsman asked for, and was granted, unanimous consent to take up Senate Bill No. 580, at this time, for the purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 580

Senate Bill No. 580—An act to amend Section 6902 and to repeal Section 6903 of the Labor Code, relating to train crews.

Bill read third time.

Motion to Amend

Senator Salsman moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on February 4, 1947, strike out "and to repeal Section 6903".

Amendment No. 2

On page 1 of said bill, after line 17, insert

"SEC. 2. Nothing contained herein is intended to, nor shall it alter or in any wise abridge, or be construed to alter or abridge the powers granted to the Public Utilities Commission by the Public Utilities Act, to require public utilities to operate in such manner as to promote and safeguard the health and safety of their employees, passengers, customers and the public, and to that end to require the performance of any act which the health or safety of their employees, passengers or customers demand."

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and made special order of business for Tuesday, April 15, 1947, at 2.30 p.m.

REQUEST FOR UNANIMOUS CONSENT

Senator Ward asked for, and was granted, unanimous consent to have the following opinions of the Legislative Counsel relative to the power of the Public Utilities Commission to regulate train crews printed in the Journal in 10-point type:

Opinions of Legislative Counsel

STATE OF CALIFORNIA

OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO 2, CALIFORNIA, April 14, 1947

Power of Public Utilities Commission to
Regulate Train Crews, No. 3980

Hon. Byrl R. Salsman

Senate Chamber

DEAR SENATOR SALSMAN: Referring to Senate Bill No. 580, as amended in Senate February 4, 1947, you have asked whether the Public Utilities Commission has power under the Public Utilities Act (DA 6383) to require additional brakemen on a train, over and above the minimum fixed by the bill, where public interest requires additional personnel.

In our opinion the Public Utilities Commission clearly has power to regulate the number of brakemen required on a train operating in California, and it may, after hearing pursuant to Section 42 of the Public Utilities Act, order the use of additional brakemen on a train, over the minimum required by Senate Bill No. 580.

Section 22, Article XII of the California Constitution grants the Legislature authority to confer powers upon the commission in addition to the direct constitutional grant, which conferred powers are consistent with those constitutionally granted. Section 23 of Article XII further provides that the commission shall have and exercise such powers and jurisdiction to supervise and regulate public utilities as shall be conferred upon it by the Legislature.

Section 42 of the Public Utilities Act (DA 6386) is a direct grant of power to the commission under the constitutional authority of the Legislature. This section provides that:

"The commission shall have power * * * to require every public utility to construct, maintain and operate its line, plant, system equipment, tracks and premises in such manner as to promote and safeguard the health and safety of its employees, passengers, customers and the public * * *."

The California Supreme Court in holding an ordinance of the City of Los Angeles invalid, declared that a regulation by the commission authorizing the operation of one-man street cars within the city is clearly within the power vested in the commission by the Constitution and the Public Utilities Act. *Los Angeles Ry. vs. City of Los Angeles* (1940) 16 Cal. (2d) 779, at page 787. (See also cases cited therein.)

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOHN P. GLEESON, Deputy

Copy to Author of Senate Bill No. 580
Pursuant to Joint Rule 34.

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, April 10, 1947

Power of Public Utilities Commission to Prescribe Minimum
Train Crews—No. 3863

Hon. Clarence C. Ward
Senate Chamber

DEAR SENATOR WARD: In your letter of April 8th, you asked for an opinion as to whether the Legislature under Section 22, Article XII of the California Constitution by the enactment of Section 42 of the Public Utilities Act, empowered the Public Utilities Commission to make an order directing the use of more than two brakemen on a train of more than 49 freight cars operating in this State.

In stating your request, you assume (1) the passage of Senate Bill No. 580 which proposes the repeal of certain provisions of the Labor Code which require more than two brakemen on freight trains in excess of 49 cars operating in California, and (2) that the Public Utilities Commission after hearing pursuant to Section 42 of the Public Utilities Act, determines that the safety of railroad employees, passengers, or the public requires more than two brakemen on such a train.

In our opinion, there is no doubt that the Public Utilities Commission has been empowered to make such an order as that suggested, by virtue of the enactment of Section 42 of the Public Utilities Act.

Section 22, Article XII of the California Constitution grants to the Legislature authority to confer powers upon the commission in addition to the direct constitutional grant, which conferred powers are consistent with those constitutionally granted, and the authority of the Legislature to confer additional powers is expressly declared to be plenary and unlimited. Section 23 of Article XII further provides that the commission shall have and exercise such power and jurisdiction to supervise and regulate public utilities as shall be conferred upon it by the Legislature.

Section 42 is a direct grant of power to the commission under the constitutional authority of the Legislature. This section provides that:

"The commission shall have power * * * to require every public utility to construct, maintain and operate its line, plant, system, equipment, tracks and premises in such manner as to promote and safeguard the health and safety of its employees, passengers, customers and the public * * *."

A railroad is a public utility. (Sec. 23, Art. XII, Const.)

Analysis of the Constitution and the provisions of Section 42 of the Public Utilities Act leads inevitably to the conclusion that the commission may, after hearing, determine that more than two brakemen are required for the safety of employees and the public, on a freight train of more than 49 cars and order the use of additional brakemen on such a train. (*Los Angeles Ry. vs. Los Angeles*, 16 Cal. (2d) 779).

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOHN P. GLEESON, Deputy

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered :

Senate Joint Resolution No. 18: By Senator Swing—Relative to memorializing the Congress and the President of the United States in relation to migratory game birds.

Referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1348—An act to amend Section 5014 of the Public Resources Code, relating to the appropriation of moneys in the State Beach Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1349—An act to amend Section 5014.1 of the Public Resources Code, relating to appropriations from the State Park Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Breed, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—25.
NOES—None.

Bill ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Breed asked for, and was granted, unanimous consent to have the following statement of the Director of Public Works, relative to Senate Bill No. 917, printed in the Journal in 10-point type :

Statement of Director of Public Works

STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC WORKS

SACRAMENTO, April 11, 1947

Hon. Arthur H. Breed, Jr.

Member of the Senate

State Capitol, Sacramento, California

Re: Senate Bill No. 917, Regular Session

MY DEAR SENATOR: Pursuant to your verbal request, I am writing to advise in respect to the manner in which the moneys appropriated from the State Highway Fund for construction of approaches on the San Francisco-Oakland Bay Bridge will be repaid to the State Highway Fund, under the provisions of Senate Bill No. 917 as amended in Senate April 9, 1947.

The situation to which your question relates is as follows:

By Chapter 5 of the Statutes of 1933, the sum of \$6,600,000 was appropriated for expenditure for construction of the approaches to the San Francisco-Oakland Bay Bridge. Provision was made that the amount expended should be charged against moneys available for construction in County Group No. 1 (northern counties).

By Chapter 24 of the Statutes of 1933, the Legislature provided that collection of tolls should be continued after retirement of bonds until the expenditure under Chapter 5 had been repaid to the State Highway Fund and credited to the portion of the fund from which it was taken.

Of the \$6,600,000 appropriated the sum of \$6,288,550.41 was actually expended for the construction of the approaches.

The repayment of the said sum will be made under one of the two following alternative procedures:

(a) If a new bond issue is sold under the California Toll Bridge Authority Act as proposed to be amended, before the said sum has been repaid to the State Highway Fund, it will be repaid out of the first bonds sold. See proposed Section 30608, Streets and Highways Code, as added by Senate Bill 917, as amended in Senate April 9, 1947, page 2, lines 22 to 36, inclusive;

(b) If there is no bond issue before the said sum has been repaid, it will, under the existing law, be repaid out of the continued collection of tolls after the presently outstanding bonds have been retired.

I may say that it is our intention in the financing of any second bridge, to provide for the immediate repayment of the said sum of \$6,288,550.41. I am advised that Senate Bill 917, as amended, guarantees this.

Very truly yours,

C. H. PURCELL
Director of Public Works

REQUEST FOR UNANIMOUS CONSENT

Senator Quinn asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel, relative to Senate Bill No. 917, printed in the Journal in 10-point type:

Opinion of Legislative Counsel

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO 2, CALIFORNIA, April 12, 1947

Senate Bill No. 917—San Francisco-Oakland Bay Bridge—No. 3958

Hon. Irwin T. Quinn
Senate Chamber

DEAR SENATOR QUINN: We have your request for an analysis of Senate Bill No. 917, as amended in Senate April 9, 1947, relative to the San Francisco-Oakland Bay Bridge.

The bill provides that the cost of constructing the approaches and of maintaining and operating the bridge and approaches, including insurance (except insurance against loss of revenue) and the cost of compliance with orders of any governmental agency, shall be paid by the Department of Public Works out of funds available to the department other than bond proceeds or tolls so long as any bonds or other obligations are unpaid.

An exception to this is made if bonds are issued for the double purpose of refunding outstanding bonds of the existing bridge and constructing a new bridge or other highway crossing, in which case the California Toll Bridge Authority may provide for the payment of the costs of operation and insurance from the tolls or other revenues. (Section 30605, Streets and Highways Code.)

Section 30606 provides that the department shall pay for the operation and maintenance of the bridge and approaches and costs of insurance and compliance with orders of a governmental agency from funds appropriated for the construction of highways in Group 1 (Northern California) counties.

If an additional bridge or other highway crossing is constructed and the department determines to pay the costs of operation and insurance from tolls (as provided in the exception in Section 30605), the expenditures shall be made only for the physical maintenance of the bridges or other highway crossings.

The bill further provides that in any new bond proceedings to refund or retire existing indebtedness of the bridge there shall be included a sum sufficient to reimburse the State for the \$6,288,550.41 advanced in 1933 for cost of constructing the approaches, and this sum shall be repaid from the bond proceeds to the State Highway Fund, to be expended on highway construction in Group 1 counties for the purposes for which

the money was originally appropriated (Section 30608, Streets and Highways Code).

The bill is mainly a reenactment of existing law, except that in any new bond proceedings the payment of operation and insurance may be made from the tolls and revenues of the bridges, if a new bridge or other crossing is constructed. This cost of operation is restricted to physical maintenance.

The existing provisions for the return of the \$6,288,550.41 to the use of Group 1 counties is protected and repayment provided for in any bond refunding or retirement proceedings.

Very truly yours,

FRED B. WOOD, Legislative Counsel

By JOSEPH L. KNOWLES, Deputy

Copies to authors pursuant to Joint Rule No. 34.

Senator Hatfield Presiding

At 4 p.m., Senator George J. Hatfield of the Twenty-fourth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 917—An act to amend Sections 30605 and 30606 of and to add Section 30608 to the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1210—An act to repeal Section 16075 and add new Section 16075 to the Education Code, relating to membership in any secret fraternity, sorority or club.

Bill read third time.

Motion to Re-Refer Senate Bill No. 1210

Senator O'Gara moved that Senate Bill No. 1210 be re-referred to Committee on Education.

Motion carried.

Senate Bill No. 327—An act to amend Sections 17953 and 18405 of the Revenue and Taxation Code, relating to credits against net income of estates and trusts under the Personal Income Tax Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Slater, Swing, Tenney, Ward, Watson, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1330—An act to amend Sections 8352 and 8353 of the Revenue and Taxation Code, relating to appropriations from the Motor Vehicle Fuel Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Slater, Swing, Tenney, Ward, Watson, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1344—An act to amend Section 16652 of the Revenue and Taxation Code, relating to appropriations from the Gift Tax Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1345—An act to repeal Section 7103 of the Revenue and Taxation Code, relating to appropriations to carry out the Sales and Use Tax Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1346—An act to repeal Section 19353 of the Revenue and Taxation Code, relating to appropriations to carry out the Personal Income Tax Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1347—An act to amend Section 27 of the Corporation Income Tax Act, relating to appropriations to carry out said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Mayo, McBride,

O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 714—An act to add Sections 108 and 109 to the Bank Act and to add Article 6, comprising Sections 18210 to 18216, inclusive, to Chapter 8 of Part 10 of Division 2 of the Revenue and Taxation Code, relating to common trust funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 4.16 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 1339—An act to repeal Chapter 295 of the Statutes of 1945 and Sections 160.5, 223.5, 395.6, and 395.7 and Chapter 4, comprising Sections 560 to 589, inclusive, of Part 2 of Division 2 of the Military and Veterans Code, relating to the California State Guard, reserving claims, rights, benefits, and privileges of members and disciplinary powers as to offenses, and providing for the liquidation of property, funds, and affairs of the California State Guard.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Motion to Amend Title

Senator Rich moved the adoption of the following title amendment:

Amendment No. 1

In line 4 of the title of the printed bill, after "to", insert "emergency powers of the Adjutant General and to".

Amendment read, and adopted.

Senate Bill No. 1339 ordered printed, and transmitted to the Assembly.

Senate Bill No. 290—An act to repeal Section 1881.3 of the Civil Code, relating to the period during which the chapter of said code relating to private bulk storage of grain shall remain in effect.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Judah, Kraft, Mayo, O'Gara, Powers,

Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 806—An act to add Chapter 5.5, comprising Sections 2425 and 2426, inclusive, to Division 3 of the Health and Safety Code, and to add Section 40009 thereto, thereby consolidating and revising the law relating to mosquito control, and repealing acts and parts of acts specified therein.

Bill read third time.

Motion to Amend

Senator Burns moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "40009", and insert "40019".

Amendment No. 2

On page 1, line 21, of said bill, strike out "40009", and insert "40019".

Amendment No. 3

On page 1, line 22, of said bill, strike out "40009", and insert "40019".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Quinn moved that Senate Bill No. 181 be taken from the inactive file, and placed on the second reading file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1334—An act to amend Sections 7 and 26 of the Construction and Employment Act, relating to the State Allocation Board and to allocation of state funds to local agencies for the construction of public works.

Bill read third time, and presented by Senator Hatfield.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—Senator DeLap—1.

Bill ordered transmitted to the Assembly.

Senator Hatfield Presiding

At 4.25 p.m., Senator George J. Hatfield of the Twenty-fourth District presiding.

Assembly Bill No. 617—An act to add Section 1176.6 to the Fish and Game Code, relating to homing pigeons.

Bill read third time, and presented by Senator Watson.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Judah, Kraft, Mayo, O'Gara,

Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 34—An act to add Sections 169 and 283 to the Fish and Game Code, relating to game refuges.

Bill read third time, and presented by Senator Burns.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Judah, Kraft, Mayo, O'Gara, Powers, Rich, Slater, Sutton, Swing, Ward, Watson, and Weybret—23.

NOES—None.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 42

Assembly Concurrent Resolution No. 63

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

Assembly Concurrent Resolution No. 42—Relative to requesting the Department of Public Health to make a survey of means for the treatment of cancer.

Referred to Committee on Public Health and Safety.

Assembly Concurrent Resolution No. 63—Approving 12 certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the first day of April, 1947.

Resolution read, and ordered to third reading file.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 167

Assembly Bill No. 223

Assembly Bill No. 371

Assembly Bill No. 1107

Assembly Bill No. 1305

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 167—An act to amend Sections 39.5, 132, 143, 150, 166, 168, 195, 195.5, 221, 225, 234, 237, 239, and 246, to add Sections 140.1, 163, 180.7, 225.1, 232.1, and 245.6 to, and to repeal Section 160.1

of, the Vehicle Code, relating to the identification, registration and transfers of registration of vehicles.

Referred to Committee on Transportation.

Assembly Bill No. 223—An act to add Section 269a to the Code of Civil Procedure, relating to phonographic reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 371—An act to amend Section 2709 of the Penal Code, relating to products of the employment of prisoners, and authorizing sale for private use of by-products of agricultural enterprises, under rules prescribed by the Director of Finance.

Referred to Committee on Judiciary.

Assembly Bill No. 1107—An act to amend Section 762.9 of the Agricultural Code, relating to inspection fees for inspection and certification of tomatoes, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1305—An act to amend Sections 830.1, 830.2, 830.4, and 830.5 of the Agricultural Code, relating to substandard fruits, nuts and vegetables.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 1177

Senate Bill No. 1198

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

JESPERSEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 577

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

JESPERSEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 1473

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

JESPERSEN, Chairman

Above reported bill ordered to second reading.

ADJOURNMENT

At 4.38 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Tuesday, April 15, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FORTY-FOURTH LEGISLATIVE DAY
ONE HUNDREDTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, April 15, 1947

The Senate met at 1.30 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Dorsey, on motion of Senator McBride, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Charles E. Ferrell, Mrs. Florence Damoran and Mrs. John Kuhns of El Centro; Mrs. Carter of New York; and Mrs. McNaughton of Sacramento.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. James I. Harkins and Edward E. Breitenburcher of Stockton.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Hugh P. Donnelly, Jr., of Stanislaus.

On request of Senators Dilworth and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. S. D. Thompson of Riverside and Dr. H. H. Eshelman of Los Angeles.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. B. J. Herron, Mr. Frank L. Holt, City Marshal of Los Angeles, Mr. Walter O. Barrett of Alhambra, Mr. Charles W. Harding and Mr. Kenneth W. Wilson of Los Angeles.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Roger D. Lapham and Mrs. Lewis A. Lapham of San Francisco.

On request of Senators Powers, Quinn, and Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. John R. Quinn, Assessor, of Los Angeles.

On request of Senators Dillinger and Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Art Hauser of Corning.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ralph Ingals, instructor, and the following students of the St. Helena Unified School District, St. Helena: Jack Abruzzini, Laverne Alexander, Albert Butala, Lucille Canhoto, Richard Cavness, Phyllanne Cannon, Edio Delfino, Gene Di Pasqua, Julie Di Pasqua, Alfred Harding, Dano Mattiuzzi, Bob Moe, Jerry Morgan, Nancy Sallmon, Jacqueline Sears, Carolyn Shriver, Leland Slavens, Petite Volper, Bob Wilson, Boyd Rhoda, Stanley Lane, Leroy Anderson, Virginia Koeber, Verino Minegon, Philip Morisoli, Howard Pearigan, Chuck Stanley, Ferral Penland, Donald Gilley, Don Anderson, Elena Casaris, Ernest Moberg, Bob Morgan, Laura Brown, David Kilgore, Donald Warnock, Ruth Couchman, Virginia Lynch, Martha Gillespie, Vivian Mair, Barbara Moe, and Ann Seto.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Harry Bogart and Miss Bogart of Los Angeles, and Thomas Fielding of San Diego.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 16

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 124
Assembly Bill No. 636
Assembly Bill No. 750
Assembly Bill No. 439
Assembly Bill No. 1019

Assembly Bill No. 253
Assembly Bill No. 1700
Assembly Bill No. 1411
Assembly Bill No. 2124

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 124—An act to amend Sections 2011, 2160, and 2181, and to repeal Sections 2181.01 and 2224 of the Welfare and Institutions Code, and to amend Section 206 of the Civil Code and Section 270e of the Penal Code, relating to aged aid, and the liability of responsible relatives.

Referred to Committee on Institutions.

Assembly Bill No. 253—An act to amend Sections 26840, 27322, and 27376 of the Government Code, relating to marriage licenses and certificates of marriage.

Referred to Committee on Judiciary.

Assembly Bill No. 439—An act to amend Section 2943 of the Penal Code, relating to the discharge of prisoners, and specifying the privileges, funds, and clothing to be provided thereupon.

Referred to Committee on Judiciary.

Assembly Bill No. 636—An act to amend Section 11871 of the Insurance Code, relating to the powers of the State Compensation Insurance Fund.

Referred to Committee on Financial Institutions.

Assembly Bill No. 750—An act to amend Section 7d of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to compensation of court reporters in municipal courts in cities of the first and one-half class.

Referred to Committee on Local Government.

Assembly Bill No. 1019—An act to amend Section 1157 of the Government Code, relating to pay roll deductions of public employees.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1700—An act to amend Section 1161 of the Civil Code, relating to the recordation of instruments.

Referred to Committee on Judiciary.

Assembly Bill No. 1411—An act to amend Section 426 of the Code of Civil Procedure, relating to complaints.

Referred to Committee on Judiciary.

Assembly Bill No. 2124—An act to amend Section 337.5 of the Code of Civil Procedure, relating to the limitation of actions.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, CALIFORNIA, April 15, 1947

MR. PRESIDENT: The Committee on Rules has appointed Senator Cunningham to serve as a member of the Committee on Interstate Cooperation (Gov. Code Secs. 8000 and 8001, S.R. 168) to take the place of Senator Brown, resigned.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 83

Senate Bill No. 984

Senate Bill No. 91

Senate Bill No. 993

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 566

Senate Bill No. 656

Senate Bill No. 567

Senate Bill No. 1156

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 82

Senate Bill No. 184

Senate Bill No. 84

Senate Bill No. 1110

Senate Bill No. 85

Senate Bill No. 1214

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 580

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 806

Senate Bill No. 1339

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Joint Resolution No. 30

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 5; committee vote: Ayes 5.

POWERS, Chairman

The above resolution ordered to second reading.

MOTION TO APPROVE JOURNALS

Senator Powers moved that the Journals of Monday, April 7, 1947; Tuesday, April 8, 1947; Wednesday, April 9, 1947; Thursday, April 10, 1947; and Friday, April 11, 1947, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Dilworth moved that Senate Bill No. 210 be taken from the inactive file, and placed on the second reading file.

Motion carried.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Salsman moved that Senate Bill No. 785 be taken from the inactive file, and placed on the second reading file.

Motion carried.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 $\frac{1}{2}$ of Article II thereof, relating to primary elections.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections:

Amendment No. 1

On page 1, line 8, of the printed measure, after "candidate", insert "for a state, judicial, school, county or township office".

Amendment read, and adopted.

Resolution ordered printed, engrossed, and to third reading.

Senate Bill No. 65—An act to amend Sections 2821 and 2827 of the Elections Code, relating to state central committees of political parties.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 749—An act to amend Section 1121 of the Elections Code, relating to recall elections.

Bill read second time.

Motion to Amend

Senator Slater moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "act cited in the title"; and in line 2, strike out "hereof", and insert "Elections Code".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 362—An act to add Sections 31.5 and 34.5 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3930, 3946, 7966, 8720, 8721, and 8722, and to repeal Section 2838 of, the Elections Code, relating to nominations and party conventions.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1057—An act to amend Section 2458 of the Business and Professions Code, relating to fees under the chapter on medicine and surgery.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1058—An act to amend Section 2011 of the Business and Professions Code, relating to instruction requirements to practice medicine and surgery.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1060—An act to amend Section 2117 of the Business and Professions Code, relating to the Board of Medical Examiners.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1063—An act to amend Section 2450 of the Business and Professions Code, relating to the payment of the annual tax and registration fee for physicians and surgeons, drugless practitioners, chiropodists and midwives.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1064—An act to amend Section 2174 of the Business and Professions Code, relating to disapproval of schools under the chapter on medicine and surgery.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1065—An act to amend Section 2114 of the Business and Professions Code, relating to the publication of a directory.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1067—An act to amend Section 2376.5 of the Business and Professions Code, relating to the restoration of certificates to practice medicine.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1070—An act to add Section 2391.5 to the Business and Professions Code, relating to unprofessional conduct under the chapter on medicine and surgery.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1071—An act to amend Section 2390 of the Business and Professions Code, relating to unprofessional conduct under the chapter on medicine and surgery.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 849—An act to amend Section 3044 of the Business and Professions Code, relating to the practice of optometry.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1061—An act to add Section 2142.10 to the Business and Professions Code, relating to the use of the word "physician."

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Business and Professions:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "use the word", and insert "advertise himself as a".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 248—An act to amend Section 2246 of the Business and Professions Code, relating to instruction in chiroprody.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "three", and insert "four".

Amendment No. 2

On page 1, line 6, of said bill, strike out "3,360", and insert "4,000".

Amendment No. 3

On page 2, line 13, of said bill, strike out "3,360", and insert "4,000".

Amendment No. 4

On page 2 of said bill, after line 13, insert

"SEC. 2. The increase in educational requirements from three resident courses of professional instruction in a school approved by the Board of Medical Examiners covering 3,360 hours to four such courses covering 4,000 hours shall apply only to applicants for the certificate to practice chiroprody who matriculate at any such school after September 1, 1947, for the first time. Applicants who have matriculated at any such school prior to September 1, 1947, shall be subject to the requirement of attendance of three resident courses covering 3,360 hours in accordance with the law in existence immediately preceding the effective date of this act."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 249—An act to amend Sections 2450 and 2452 of the Business and Professions Code, relating to chiroprody.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 490—An act to amend Section 4806 of the Business and Professions Code, relating to the salary of the Secretary of the Board of Examiners in Veterinary Medicine.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1177—An act to add Sections 8708 and 8709 to Article 6, Chapter 3, Part 4 of Division 5 of the Water Code, relating to the powers and duties of the Reclamation Board.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Water Resources:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 1, 1947, strike out line 15, and insert "§708. Whenever assurances shall have been given to the".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1198—An act to amend Section 3456a of the Political Code, relating to reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Water Resources:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3456a", and insert "Sections 3456a and 3460".

Amendment No. 2

On page 1, line 16, of said bill, after "commissioners", strike out "each of whom shall be similarly qualified, and shall make and subscribe the same oath as is provided hereinabove for commissioners. When so appointed and so qualified such commissioners shall prepare an assessment list, which list shall contain the following information in separate columns:", and insert "who shall have no interest in any real estate within said district, each of whom, before entering upon his duties, shall make and subscribe an oath that he is not in any manner interested in any real estate within said district, directly or indirectly, and that he will perform the duties of a commissioner to the best of his ability. When so appointed and so qualified such commissioners must view and fix upon the land within said district an assessment valuation per acre for each tract which shall be in proportion to the benefits to be derived from the continuance in operation of the works of the district and shall estimate the same in lawful money of the United States. Said commissioners shall prepare an assessment list, which list shall contain the following information in separate columns:".

Amendment No. 3

On page 2, line 4, of said bill, after "tract", strike out the semicolon, and insert "exclusive of improvements situated thereon;".

Amendment No. 4

On page 3, line 45, of said bill, after "situated", insert ", and the time to pay any call without delinquency shall be as provided in the form of notice of call hereinafter set forth".

Amendment No. 5

On page 4 of said bill, following line 44, insert "All unpaid assessments and accrued interest shall be collected by and paid to the county treasurer, or the board of trustees may designate an agent to effect such collection who shall file with the county treasurer a detailed report of any and all collections thereon and who shall deposit said moneys with the county treasurer to the credit of the district. Whenever the board of trustees shall appoint an agent to collect assessments, they shall require that such agent give a bond with a qualified corporate security in such amount as they may consider sufficient for the faithful performance of his duties."

Amendment No. 6

On page 4, line 36, of said bill, strike out "valuation".

Amendment No. 7

On page 5, line 23, of said bill, strike out "delinquency", and insert "sale herein after referred to".

Amendment No. 8

On page 5, line 51, of said bill, strike out "sums", and insert "amount".

Amendment No. 9

On page 6, lines 23, 24, and 25, of said bill, strike out "After the lapse of one year from and after the expiration of the period for redemption such parcel may be sold as

in Section 3466a of this code provided.", and insert "All of the provisions of Section 3466a of this code shall be applicable to any lands bid in and purchased by a county treasurer."

Amendment No. 10

On page 7, line 49, of said bill, strike out "provided", and insert "authorized".

Amendment No. 11

On page 7, line 50, of said bill, strike out "4 of this section", and insert "(3) of Section 3457 of the Political Code".

Amendment No. 12

On page 7, line 50, of said bill, after "such", insert "warrants and".

Amendment No. 13

On page 9 of said bill, strike out lines 16 to 43, inclusive.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 14

On page 9 of said bill, after line 43, insert

"SEC. 2. Section 3460 of said code is amended to read:

3460. The commissioners appointed by the board of supervisors must make a list of the charges assessed against each tract of land and if there be any error or mistake in the description of the land, or in the name of the owner, or if any land which should be assessed has been or shall be omitted from the list, or if there is an error or mistake in any other respect, the commissioners may amend or correct the same at any time before the list shall have been approved by the board of supervisors as hereinafter provided. When any tract of land upon which an assessment or [assessments] *assessment valuation* shall have been made pursuant to Section 3456 and Section 3456a of this code shall be subdivided into smaller parcels, the board of trustees of the district [shall re-apportion the assessment or assessments upon such tract, including assessments or portions thereof which have become delinquent together with the delinquencies thereon, including penalties and interest in such manner as will charge each of said smaller parcels with a just proportion of assessment or assessment previously made upon said tract so divided and with a just proportion of said delinquencies. Assessments and delinquencies thereon on tracts of land which have become delinquent and which have been sold for delinquency pursuant to the provisions of Section 3465 or Section 3480 of this code, and which have been subdivided shall be re-apportioned in the same manner and with the same effect as if such tract had not been so sold.] *may, upon written application therefor signed by all of the land owners within the subdivided tract enter a minute order directing the reapportionment of the assessment or the assessment valuation upon such tract in such manner as will charge each of said smaller parcels with a just proportion of the assessment or of the assessment valuation as previously made upon said tract so subdivided, and upon said entry of such minute order, such reapportionment shall then become final. In the event that said application for reapportionment is signed by one or more, but not all of said land owners within the subdivided tract, then said board of trustees of the district may enter a minute order directing the reapportionment of the assessment or the assessment valuation upon such tract, in the manner hereinabove set forth, and upon the making of said order, said board of trustees shall file with the clerk of the board of supervisors of the county a list or lists of the charges assessed against each of said parcels, and said reapportionment shall then be approved by the board of supervisors in the manner provided in Section 3462 of this code. As a condition to the making of [any] said reapportionment as in this section provided the board of trustees shall require that each parcel of such subdivided tract be given suitable means of ingress and egress. [Said board of trustees shall file with the clerk of the board of supervisors of the county a list or lists of the charges assessed against each of said parcels. Said re-apportionment shall be approved by the board of supervisors in the manner provided in Section 3462 of this code. Said list after such approval shall be filed with the county treasurer of the county and shall have the same effect as an original assessment.] When any tract of land appearing on an assessment roll or an assessment valuation roll shall have been deeded in whole, the board of trustees of the district may by a minute order, direct such change in the assessment roll or the assessment valuation roll as may be necessary to show the name of the new owner, as the same shall appear on the record of the tax rolls of the county in which the land is situated. In ordering any change in ownership or the reapportionment of any assessment or assessment valuation on any tract or tracts of land as in this section provided,*

the board of trustees of the district shall cause such changes, subdivisions or reapportionment, to be properly entered or endorsed upon such assessment roll or valuation assessment roll, and shall file notice of all such changes with the treasurer of the main county."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 577—An act to amend Section 8361 of the Water Code, and to add Articles 4, 5 and 6 to Chapter 3 of Part 2 of Division 5 of said Water Code, all relating to the operation and maintenance of the works of the Sacramento River Flood Control Project, and other projects for which the Reclamation Board or the Department of Public Works has given, or shall hereafter give assurances to the United States of state or local cooperation required by federal law; providing for the payment of the cost of maintenance by means of assessments levied upon the property benefited by the operation and maintenance of such works, prescribing the duties of the Reclamation Board, the Department of Public Works, the State Engineer, and other public officers in connection therewith, creating certain funds in the State Treasury, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Water Resources:

Amendment No. 1

In line 6 of the title of the printed bill, strike out "or the Department of Public Works".

Amendment No. 2

On page 1, lines 3 and 4, of the printed bill, strike out "Maintenance and Operation of Units or Portions of Works, and Defrayal of Cost."

Amendment No. 3

On page 2 of the printed bill, strike out lines 49 and 50; and on page 3, strike out lines 1 to 4, inclusive, and insert

"(c) 'Project' means any project concerning which assurances shall have been given to the Secretary of War, pursuant to Article 2 of Chapter 3 of Part 4 of this division of this code, that the State will maintain and operate works after completion in accordance with regulations prescribed by the Secretary of War."

Amendment No. 4

On page 3, line 29, of the printed bill, strike out the period at the end of the line, and insert a comma and "specifying in detail the particular items of work necessary to be done in order to comply with the requirements of the Secretary of War, together with an estimate of the cost thereof for the current fiscal year, and for the ensuing fiscal year."

Amendment No. 5

On page 3 of the printed bill, strike out line 32, and insert "its operation or maintenance, and a copy of such statement shall be transmitted to such local agency."

Amendment No. 6

On page 5 of the printed bill, at the end of line 30, strike out "or name and"; and at the beginning of line 31, strike out "number".

Amendment No. 7

On page 5, line 34, of the printed bill, strike out "of the maintenance area", and insert "thereof".

Amendment No. 8

On page 5 of the printed bill, at the end of line 42, strike out "the"; and at the beginning of line 43, strike out "Water", and insert "this".

Amendment No. 9

On page 6, line 13, of the printed bill, strike out "thereof", and insert "of the land therein".

Amendment No. 10

On page 6 of the printed bill, at the end of line 22, insert "pursuant to Article 4 of this chapter".

Amendment No. 11

On page 7, line 12, of the printed bill, strike out "an", and insert "a maintenance".

Amendment No. 12

On page 8 of the printed bill, strike out line 34, and insert "not exceed by more than 20 percent the amount of the estimate for such".

Amendment No. 13

On page 8, line 35, of the printed bill, after "any", insert "fiscal".

Amendment No. 14

On page 8, line 38, of the printed bill, after "following", insert "fiscal".

Amendment No. 15

On page 8 of the printed bill, strike out line 48, and insert "section shall have no further force or effect, and the requirement of Section 8432 of this code that the board shall add to the estimate 10 percent of the amount thereof, shall likewise have no further force or effect."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

Senate Bill No. 1473—An act making an appropriation to the Emergency Fund specified in Item ----- of the Budget Act of 1947, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Water Resources:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "one million dollars (\$1,000,000); and strike out line 3, and insert "one hundred thousand dollars (\$100,000), together with the entire unencumbered balance of the appropriation provided for by an act entitled "An act making an appropriation to the Emergency Fund specified in Item 275 of the Budget Act of 1945, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor," approved July 17, 1945, is hereby appropriated to the emergency fund specified".

Amendment No. 2

On page 1, line 6, of said bill, strike out "Ninety-ninth Fiscal Year", and insert "1947-48 Fiscal Year beginning July 1, 1947 and ending June 30, 1948 and the 1948-49 Fiscal Year beginning July 1, 1948 and ending June 30, 1949,".

Amendment No. 3

On page 1 of said bill, between lines 10 and 11, insert "and for the prevention of damage and destruction of farms, buildings, levees, flood control works, channels, irrigation works, public roads and bridges and other property by floods or flood conditions, for the correction and straightening of rivers, streams, water-courses and channels where necessary for the prevention of damage and destruction of property by flood,".

Amendment No. 4

On page 1, line 17, of said bill, strike out "or restoration", and insert "restoration, or prevention".

Amendment No. 5

On page 2 of said bill, between lines 17 and 18, insert "Not more than 20 percent of the money appropriated by this act shall be expended in any one county."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 181—An act to amend Section 215 of the Revenue and Taxation Code, relating to veterans' organizations.

Bill read second time, and ordered to third reading.

RECESS

At 1.47 p.m., on motion of Senator Dillinger, the Senate recessed to allow Senator Dillinger to present to Frank N. Killam a resolution expressing the appreciation of the Senate for the many courtesies extended to the Senate.

REASSEMBLED

At 1.50 p.m., the Senate reconvened.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 229—An act to add Section 981.25 to the Military and Veterans Code, relating to veterans' education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 82—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 84—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23,

1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 91—An act to amend Section 10b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and one-half class, and the marshals and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 984—An act to amend Section 20867 of the Government Code, relating to the State Employees' Retirement System, and providing for allocation and payment of the cost of service rendered by local members to more than one contracting agency.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 184—An act to amend Section 4280 of the Political Code and Section 28151 of the Government Code, relating to compensation for public services in counties of the fifty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 566—An act to amend Section 1622 of the Welfare and Institutions Code, relating to state payments for the inspection and licensing of boarding homes and institutions for children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 567—An act to amend Section 2302 of the Welfare and Institutions Code, relating to state payments for the inspection and licensing of boarding homes and institutions for aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1110—An act to amend Section 252 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Benefits and physicians' certificates thereunder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

President of the Senate Presiding

At 2.25 p.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

REQUEST FOR UNANIMOUS CONSENT

Senator Williams asked for, and was granted, unanimous consent to have the following proposed amendments offered by Senator Judah, to Senate Bill No. 1156, printed in the Journal:

Proposed Amendments to Senate Bill No. 1156

Amendments Offered by Senator Judah

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 7 of", and insert "add Section 7.3 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert "SECTION 1. Section 7.3 is added to the Unemployment Insurance Act, to read: Sec. 7.3. The term "agricultural labor" as used in Section 7,".

Amendment No. 3

On page 1, line 26, of said bill, after "In", insert "the employ of the owner or tenant or other operator of a farm, in connection with the".

Amendment No. 4

On page 1 of said bill, strike out line 31, and insert "tions."

Amendment No. 5

On page 2 of said bill, strike out line 1.

Amendment No. 6

On page 2, line 4, of said bill, after "canning", insert ", commercial packing,".

Amendment No. 7

On page 2, line 8, of said bill, strike out "subdivision", and insert "Section".

Amendment No. 8

On page 2 of said bill, strike out lines 13 to 52, inclusive; and strike out all of pages 3 and 4.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Senate Bill No. 580 was taken up.

Senate Bill No. 580—An act to amend Section 6902 of the Labor Code, relating to train crews.

Bill read third time.

Motion to Amend

Senator Carter moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on February 4, 1947, strike out "Section 6902", and insert "Sections 6901, 6902 and 6903".

Amendment No. 2

On page 1, line 1, of said bill, strike out "6902", and insert "6901".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert

"6901. No common carrier operating [more than four trains each way per day of twenty-four hours] on any main track or branch line of railroad within this State, or on any part of such main track or branch line, shall run or permit to be run, on any part of such main track or branch line, any passenger, mail or express train on which there is not employed at least one conductor, one brakeman, and the following:

(a) One engineer and one fireman for each steam locomotive where the train is propelled or drawn by steam.

(b) One electric motorman for each train propelled or run by electricity.

(c) One motor or power control man for each train propelled by motive power other than steam or electricity.

(d) Two brakemen, where four or more cars, exclusive of railroad officers' private cars, are hauled.

(e) One baggageman, except on a train upon which baggage is not hauled, and on gasoline motor cars.

SEC. 2. Section 6902 of the Labor Code is amended to read:"

Amendment No. 4

On page 1, lines 3 and 4, of said bill, strike out "more than four trains each way per day of 24 hours".

Amendment No. 5

On page 1 of said bill, between lines 16 and 17, insert

"(e) Three brakemen for 50 cars, four brakemen for 76 cars and an additional brakeman for every additional 25 cars on any such train running on a track which attains a grade of less than 1 percent for more than one-half mile.

(f) Three brakemen for 50 cars and an additional brakeman for every 25 cars or fraction of 25 greater than 12 cars on any such train running on a track which attains a grade of more than 1 percent for more than one-half mile.

SEC. 3. Section 6903 of said code is amended to read:

6903. No common carrier operating [more than four trains each way per day of 24 hours] on any main track or branch line of railroad within this State, or on any part of such main track or branch line, shall run or permit to be run, on any

part of such main track or branch line, any self-propelled pile driver, car, or vehicle which has sufficient power to draw or propel itself and one or more standard cars, or any train propelled or drawn by steam, electricity, or other motive power other than those trains described in Sections 6901 and 6902 on which there is not employed at least one conductor and one brakeman and the following:

(a) One engineer and one fireman for each steam locomotive where the train is propelled by steam.

(b) One motorman for each train propelled or drawn by electricity.

(c) One motor or power control man for each train propelled by motive power other than steam or electricity.

(d) One steam engineer or one motor or power control man for each self-propelled pile driver or other self-propelled vehicle which has sufficient power to draw or propel itself and one or more standard cars. The provisions of this section with reference to self-propelled pile drivers or other self-propelled vehicles apply only where the self-propelled pile driver or vehicle is moved under its own power from one permanent station or siding to the place of work if the distance is one-half mile or more."

Amendments read.

Previous Question

Senator Gordon moved the previous question.

Motion carried.

The question being on the adoption of the amendments offered by Senator Carter to Senate Bill No. 580.

Roll Call Demanded

Senators Powers, Carter, and Cunningham demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Senators Carter, Collier, Crittenden, DeLap, Donnelly, Jespersen, Judah, Keating, Mayo, O'Gara, Powers, Quinn, Slater, Sutton, and Swing—15.

NOES—Senators Breed, Brown, Burns, Busch, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Kraft, McBride, McCormack, Parkman, Rich, Salsman, Tenney, Ward, Watson, Weybret, and Williams—23.

President Pro Tempore of the Senate Presiding

At 3.50 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senator Hatfield Presiding

At 3.55 p.m., Senator George J. Hatfield of the Twenty-fourth District, presiding.

Consideration of Further Amendments to Senate Bill No. 580

Motion to Amend

Senator Carter moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on February 4, 1947, between lines 16 and 17, insert

"(e) Three brakemen for 50 cars, four brakemen for 76 cars and an additional brakeman for every additional 25 cars on any such train running on a track which attains a grade of less than 1 percent for more than one-half mile.

(f) Three brakemen for 50 cars and an additional brakeman for every 25 cars or fraction of 25 greater than 12 cars on any such train running on a track which attains a grade of more than 1 percent for more than one-half mile."

Amendment read.

Roll Call Demanded

Senators Ward, DeLap, and Carter demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Senators Carter, Collier, Crittenden, DeLap, Donnelly, Jespersen, Judah, Keating, Mayo, O'Gara, Powers, Quinn, Slater, Sutton, and Swing—15.

NOES—Senators Breed, Brown, Burns, Busch, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Kraft, McBride, McCormack, Parkman, Rich, Salsman, Tenney, Ward, Watson, Weybret, and Williams—23.

Further Consideration of Senate Bill No. 580

Senate Bill No. 580—An act to amend Section 6902 and to repeal Section 6903 of the Labor Code, relating to train crews.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Kraft, McBride, McCormack, Parkman, Rich, Salsman, Tenney, Ward, Watson, Weybret, and Williams—23.

NOES—Senators Carter, Collier, Crittenden, DeLap, Donnelly, Jespersen, Judah, Keating, Mayo, O'Gara, Powers, Quinn, Slater, Sutton, and Swing—15.

Motion to Reconsider

Senator Carter moved to reconsider the vote whereby Senate Bill No. 580 was passed.

Postponement of Reconsideration

On motion of Senator Carter, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 580 was passed, was continued until the next legislative day.

MOTION TO DISCONTINUE FURTHER ACTION ON THE DAILY FILE

At 3.52 p.m., Senator Powers moved that the Senate discontinue further action on the daily file.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Rules has appointed Senators Desmond and Burns to serve as members from the Senate on the committee created by the terms of Assembly Bill No. 2273.

POWERS, Chairman

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 487

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred: -

Assembly Bill No. 797

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 569

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 510

Assembly Bill No. 456

Assembly Bill No. 796

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bills ordered to second reading.

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:

Senate Bill No. 735

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

DELAP, Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Bill No. 737

Senate Bill No. 739

Senate Bill No. 745

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

DELAP, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 399

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 549

Senate Bill No. 709

Senate Bill No. 553

Senate Bill No. 1533

Senate Bill No. 705

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 547

Senate Bill No. 548

Assembly Bill No. 614

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 310

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 7; absent 5.

KEATING, Chairman

Above reported bill ordered to second reading.

Committee on Transportation

SENATE CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Senate Bill No. 244

Senate Bill No. 1165

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

MCCORMACK, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred:
Senate Bill No. 793

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 13; committee vote: Ayes 9; absent 4.

McCORMACK, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 41—An act to amend Section 4253 of the Political Code and Section 28124 of the Government Code, relating to the compensation for public service in counties of the twenty-fourth class;

Senate Bill No. 300—An act to amend Section 4265 of the Political Code and Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class;

Senate Bill No. 363—An act to amend Section 2 and to repeal Section 3.5 of the Property Acquisition Act, relating to the membership, powers, and duties of the Property Acquisition Board, declaring the urgency thereof, and providing this act shall take effect immediately;

Senate Bill No. 564—An act to amend Section 3 of the Property Acquisition Act, relating to the acquisition of property by the State in connection with the postwar construction program;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of April, 1947, at 4 p.m.

POWERS, Chairman

ADJOURNMENT

At 4 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Wednesday, April 16, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FORTY-FIFTH LEGISLATIVE DAY

ONE HUNDRED FIRST CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, April 16, 1947

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Dilworth, Slater, and O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the California Department of the Veterans of Foreign Wars of the United States: Charles P. Ash, Department Commander, of Glendale; Frank Gonsalves, Senior Vice Commander, of Berkeley; R. R. McFall, Post Commander, of Hawthorne; and M. C. Hermann, Quartermaster-Adjutant, of San Francisco.

On request of Senators Gordon and McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Joseph Tintorri of Vallejo.

On request of Senators Busch and Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ralph V. Devoto of Lakeport.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. John Angus of Hollywood, and Mr. Nat Jolton of Los Angeles.

On request of Senators Salsman and O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Edward E. Sandys of San Francisco.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Oscar de Reschke, principal, Mr. William L. Pierce and Miss Nino Baudino, teachers, and the following students of the Franklin School, of Santa Clara County: Louis Aldama, Duane Burrow, Lee Burch, Douglas Brooner, Don Carrillo, Billy Condon, Janice de Reschke, Inez Donohue, Marvin Evans, Dovie Finley, Jean Freeland, Loeta Harris, Jimmy Hicks, Richard Holdren, Betty Huchabay, Jeanette Le Fevre, Richard McKinney, Wanda McKinney, Betty Moser, Tommy Palacios, Toby Palacios, Emma Perez, Olga Perez, Raymond Perez, Jo Ann Quito, Barbara Richards, Mary Lou Shirey, Marilyn Stowell, James Suyemasa, Ann Thielman, Earl Vermillion, Patty White, Priscilla Martinez, Corina Dominguez, Patsy Donner, Narbeth Hein, Jacqueline Anderson, Thelma Atwell, Ned Barker, Dorothy Borum, Robert Brown, Marietta Bruno, Roberta Bryant, Robert Burrow, Joyce Bu Steed, Johnnie Carpenter, Eugene Carroll, Lavelle Cook, Adam Fimbrez, Helen Fimbrez, Aubrey Finley, May Gyotoku, Bartolo Guillen, Franklin Kawanami, Addie Lee Loob, Rachel Martinez, Consuelo Montes, Ernest Moser, Dian Needham, De Loy Peterson, Robert Polson, Rachel Ruiz, Ramona Ruiz, Harry Shigemoto, Jean Shigemoto, Lillian Silvera, Margaret Sloan, Adolph Wagner, and Marion Hopping.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Laurence Thorp of San Francisco.

On request of Senator DeLap, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Chris G. Steiner, and Mrs. E. E. Curtis of Richmond; and Marie M. Quillen, teacher, Richard L. Davis, district superintendent, and the following students of the Orinda Union School, of Orinda: Sue Richards, Darline Smith, Carola Courtright, Janet Chantler, Shirlye Salvage, Diane Owen, Shirley McAninch, Anne Summers, Janet Jansse, Nancy Tinkham, Joyce Andisen, Carole Andrews, Betty Jack, Shirley Daniels, Judy Woolsey, Karen Tynes, Margaret Zamlock, Frank Teiche, Jim D. Hall, Robert Burkett, Jim W. Hall, Bill Garrison, Bob Wickman, Gordon Hooper, Jim Jacobus, Jan Erikson, Roger Dunn, Richard Thomson, John de Soto, Jerry Nounce, Jack Stoffel, and Leroy Atkinson.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Paul Genshlea of Sacramento.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. A. F. Mueller, Mr. Mills, Mr. George Q. Baird, and Mr. E. G. Manson.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

CALIFORNIA STATE PERSONNEL BOARD
SACRAMENTO, CALIFORNIA, April 14, 1947

*Mr. Joseph A. Beek, Secretary of Senate
Senate Chamber, State Capitol
Sacramento 14, California*

DEAR MR. SECRETARY: I am transmitting herewith a report of the State Personnel Board in compliance with Senate Resolution No. 61.

This report was prepared by the members of the State Personnel Board, and the board at its meeting on April 12, 1947, directed me to transmit it to you.

Very truly yours,

JOHN F. FISHER, Executive Officer

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 115
Assembly Bill No. 388
Assembly Bill No. 844
Assembly Bill No. 845

Assembly Bill No. 846
Assembly Bill No. 998
Assembly Bill No. 1328
Assembly Bill No. 1567

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 115—An act to repeal and add Sections 205 and 206, to amend Sections 403, 451, 455 and 460 of, and to add Sections 309 and 455.7 to, the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Social Welfare.

Assembly Bill No. 388—An act to add Section 4019.5 to the Penal Code, relating to the discipline of prisoners in prisons, jails and other places of detention.

Referred to Committee on Judiciary.

Assembly Bill No. 844—An act to amend Section 10 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Referred to Committee on Financial Institutions.

Assembly Bill No. 845—An act to amend Sections 2, 7, and 23.4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Referred to Committee on Financial Institutions.

Assembly Bill No. 846—An act to amend Sections 3 and 14 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Referred to Committee on Financial Institutions.

Assembly Bill No. 998—An act to amend Sections 520 and 10129 of the Insurance Code, relating to assignment of insurance policies.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1328—An act to amend Sections 39, 41, 53, 54, and 57 and to add Section 39.1 to the Unemployment Insurance Act relating to unemployment insurance.

Referred to Committee on Social Welfare.

Assembly Bill No. 1567—An act to add Section 555 to the Welfare and Institutions Code, relating to juveniles.

Referred to Committee on Judiciary.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 457

Senator Brown moved that Senate Bill No. 457 be withdrawn from Committee on Education, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 457—An act to add Sections 452 and 457 to the Education Code, relating to the qualifications and salaries of county superintendents of schools.

Bill read second time.

Motion to Amend

Senator Brown moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "if four", and insert "is three".

Amendment No. 2

On page 1, line 13, of said bill, strike out "(\$4,000)", and insert "(\$3,000)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 65	Senate Bill No. 1060
Senate Bill No. 249	Senate Bill No. 1063
Senate Bill No. 362	Senate Bill No. 1064
Senate Bill No. 490	Senate Bill No. 1065
Senate Bill No. 849	Senate Bill No. 1067
Senate Bill No. 1057	Senate Bill No. 1070
Senate Bill No. 1058	Senate Bill No. 1071

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 248	Senate Bill No. 1177
Senate Bill No. 749	Senate Bill No. 1198
Senate Bill No. 1061	
Senate Constitutional Amendment No. 6	

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:
Assembly Bill No. 2282

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Judiciary.

Committee membership 11; committee vote: Ayes 11.

GORDON, Chairman

Above reported bill re-referred to Committee on Judiciary.

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:
Senate Joint Resolution No. 18

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 10; absent 1.

GORDON, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Swing asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 18, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 18

Senate Joint Resolution No. 18—Relative to memorializing the Congress and the President of the United States in relation to migratory game birds.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:
Senate Bill No. 178

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; noes 1.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:
Senate Bill No. 1204

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; noes 2; absent 1.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 939

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 5; noes 3; absent 3.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Assembly Bill No. 893

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 131

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 680

Senate Bill No. 683

Senate Bill No. 681

Senate Bill No. 1240

Senate Bill No. 682

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 11.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 909

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Finance.

Committee membership 11; committee vote: Ayes 11.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 691

Senate Bill No. 905

Senate Bill No. 743

Senate Bill No. 1366

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

RESOLUTIONS

The following resolution was offered :

By Senator Brown :

Senate Resolution No. 73

Resolved, That Thomas Wright, at present employed as Chief Assistant Sergeant-at-Arms of the Senate at a per diem of \$10, be and he is hereby promoted to the office of Chief Deputy Sergeant-at-Arms at a per diem of \$12, and the Controller is directed to draw his warrants weekly, seven days per week, for the said amount, and the Treasurer is directed to pay the same.

BROWN

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Gordon, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented :

By Senator Rich :

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows :

An act to amend Section 2804 of the Streets and Highways Code, relating to special assessment proceedings, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

SENATOR W. P. RICH

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 16, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Local Government.

POWERS, Chairman

The roll was called, and permission granted by the following vote :

AYES—Senators Breed, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced, and read the first time :

Senate Bill No. 1557: By Senator Rich—An act to amend Section 2804 of the Streets and Highways Code, relating to special assessment proceedings, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

CONSIDERATION OF DAILY FILE**THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)**

Assembly Concurrent Resolution No. 63—Approving 12 certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for

and ratified by the electors of said city at a general municipal election held therein on the first day of April, 1947.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

SECOND READING OF SENATE BILLS

Senate Bill No. 487—An act to amend Sections 20751 of the Health and Safety Code, relating to the sale of poisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:—

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 20751 of", and insert "repeal Sections 20703 and 20752 of the Health and Safety Code, and to amend Sections 20750, 20751, 20757, 20759, and 20800 of, and to add Sections 20703, 20763, and 20764 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Sections 20703 and 20752 of the Health and Safety Code are repealed.

SEC. 2. Section 20703 is added to said code, to read:

20703. "Poison" means and includes the compositions of the following schedules:

Schedule "A":

- (a) Arsenic compounds and preparations;
- (b) Cyanides and preparations, including hydrocyanic acid;
- (c) Fluorides soluble in water, and preparations;
- (d) Mercury compounds and preparations, except preparations made and

labeled for external use only and containing not more than five-tenths percent (0.5%) total mercury, and except ointments or soaps containing not more than two percent (2.0%) total mercury or not more than ten percent (10.0%) ammonium mercuric chloride;

- (e) Phosphorous and preparations;

- (f) Thallium compounds and preparations;

(g) Aconite, Belladonna, Cantharides, Cocculus, Conium, Digitalis, Gelsemium, Hyoscyamus, Nux Vomica, Santonica, Stramonium, Strophanthus, Veratrum, or their contained or derived active compounds and preparations, except preparations made and labeled for external use only, and except preparations containing not more than four-thousandths percent (0.004%) total belladonna alkaloids or not more than two-hundredths percent (0.02%) total nux vomica alkaloids, and except preparations in dosage forms each containing not more than two-tenths milligram (0.20 mg.) total belladonna alkaloids or not more than one milligram (1.0 mg.) total nux vomica alkaloids.

Schedule "B":

(a) Antimony, Barium, Copper, Lead, Silver or Zinc compounds soluble in water, and preparations containing five percent (5.0%) or more of these compounds;

- (b) Bromine or Iodine and preparations;

(c) Hypochlorous acid, free or combined, and preparations that yield ten percent (10.0%) or more of available chlorine, excepting chloride of lime or bleaching powder;

(d) Permanganates soluble in water, and preparations containing five percent (5.0%) or more of these compounds;

(e) Nitric acid and preparations containing five percent (5.0%) or more of the free acid;

(f) Hydrochloric, Hydrobromic or Sulfuric acids, and preparations containing ten percent (10.0%) or more of the free acids.

(g) Oxalic acid or Oxalates, and preparations containing ten percent (10.0%) or more of these compounds;

(h) Acetic acid and preparations containing twenty percent (20.0%) or more of the free acid;

(i) Potassium or Sodium hydroxides, and preparations containing ten percent (10.0%) or more of the free alkalies;

(j) Ammonia solutions or ammonium hydroxide, and preparations containing five percent (5.0%) or more of free ammonia;

(k) Chloroform or Ether, and preparations containing five percent (5.0%) or more of these compounds, except preparations made and labeled for external use only.

(l) Methyl alcohol or Formaldehyde, and preparations containing one percent (1.0%) or more of these compounds;

(m) Phenol or carbolic acid, Cresols or other phenol derivatives, soluble in water, and preparations containing five percent (5.0%) or more of these compounds.

(n) Nitroglycerine and nitrites.

(o) Nicotin and preparations.

(p) Ergot, cottonroot, pennyroyal and larkspur, or their contained or derived active compounds or mixtures thereof.

SEC. 3. Section 20750 of said code is renumbered and amended to read:

[20750] 20751. It is unlawful for any person to vend, sell, give away or furnish, either directly or indirectly, any poisons enumerated in Schedule "A" and "B" in Section 20703, [without affixing] *unless there is affixed a poison label to the package, box, bottle, or paper in which the poison is contained. The poison label shall be substantially in the form provided in this chapter.*

SEC. 4. Section 20751 of said code".

Amendment No. 3

On page 1, line 3, of said bill, strike out "20751", and insert "20752".

Amendment No. 4

On page 1 of said bill, after line 8, insert

"SEC. 4. Section 20757 of said code is amended to read:

20757. The poison label required by this chapter to be placed on all packages of poison, shall be printed upon red paper in distinct white letters, [or in distinct white letters] or in distinct red letters upon white paper, and shall contain the word "poison", the "vignette" representing the skull and crossbones, the name of the article or contents of the package, the name and place of business of the person or firm [selling] *packaging* the poison. The name of the particular antidote adopted by the board for the poison sold (and no other) shall also be upon the poison label or be attached to the package.

SEC. 5. Section 20759 of said code is amended to read:

20759. Wholesale dealers and pharmacists are exempted from the registration of the sale of any poison enumerated in Schedule "A" when it is sold [at wholesale] to a registered pharmacist, physician, dentist, chiropodist, or veterinary surgeon, *or to a research, teaching, or testing laboratory or other established legitimate user in the chemical and technical arts.*

SEC. 6. Section 20763 is added to said code to read:

20763. None of the provisions of this division shall apply to the furnishing of any ethyl alcohol or preparations thereof that are denatured in accordance with any formula approved for external use by the United States Treasury Bureau of Internal Revenue.

SEC. 7. Section 20764 is added to said code to read:

20764. None of the provisions of this division shall apply to the sale of economic poisons defined in Article 3 of Chapter 7 of Division 5 of the Agricultural Code and registered thereunder and sold in an unbroken original container when labeled as specified in Sections 20750 and 20756, except that the provisions shall apply to ant poisons containing more than four-tenths percent (0.4%) total arsenic and to preparations containing more than two percent (2.0%) total nux vomica alkaloids.

SEC. 8. Section 20800 of said code is amended to read:

20800. When in the opinion of the board it is in the interest of the public health, it may further [restrict, or prohibit the retail sale of any poison by rules not inconsistent with the provisions of this division, which rules shall be applicable to all persons alike. For this purpose the board may establish an additional schedule which may be designated schedule "e" or such other designation as it may deem appropriate.] *add compounds or preparations to schedules "A" and "B" after an open hearing following due notification of interested parties, which rules will be applicable to all persons alike.*

Notice of the adoption of rules pursuant to this section shall be given to the public in such manner as the board deems necessary. No person shall be subject to

prosecution for violating the rule until the board has given due public notice of its rule. In addition to the public notice of the adoption of such rules, the board shall give written notice of the adoption of such rules within 30 days after the adoption thereof by sending written notice thereof to all drug stores licensed under Chapter 9 of Division 2 of the Business and Professions Code.

No schedule adopted under the provisions of this division shall apply, except as specifically provided in this division, to any economic poison as defined in Section 1061 of the Agricultural Code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

Senate Bill No. 510—An act to add Section 32129 to the Health and Safety Code, relating to powers of boards of directors of local hospital districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 737—An act to amend Section 600 and to add Section 600.5 to the Penal Code, relating to burning structures or other things not subject to arson, and providing a penalty.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 739—An act to amend Sections 4002, 4003, and 4008 of the Public Resources Code, relating to prevention and control of forest fires.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 745—An act to amend Sections 4151, 4165, and 4167 of the Public Resources Code, relating to forestry.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 399—An act to amend Sections 19485, 19597, 19620, and 19627 of, and to add Sections 19485.5 and 19628 to the Business and Professions Code, relating to the proceeds of horse racing meetings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "6", and insert "5".

Amendment No. 2

On page 1, line 10, of said bill, strike out "8", and insert "6".

Amendment No. 3

On page 1, line 12, of said bill, before the period, insert "but is not more than thirty million dollars (\$30,000,000), and 8 percent of the amount by which the amount so handled exceeds thirty million dollars (\$30,000,000)".

Amendment No. 4

On page 1, lines 20 and 21, of said bill, strike out "ten million dollars (\$10,000,000)", and insert "twenty-five million dollars (\$25,000,000)".

Amendment No. 5

On page 1, line 23, of said bill, strike out "on the"; strike out lines 24 to 27, inclusive; and on page 2, strike out lines 1 and 2, and insert "and the remainder".

Amendment No. 6

On page 2, line 11, of said bill, strike out "7", and insert "8".

Amendment No. 7

On page 2, line 14, of said bill, strike out "5", and insert "7".

Amendment No. 8

On page 2, line 15, of said bill, strike out the comma, and insert "but is not more than thirty million dollars (\$30,000,000), and 5 percent of the amount by which the total amount so handled exceeds thirty million dollars (\$30,000,000)."

Amendment No. 9

On page 2 of said bill, strike out lines 16 to 21, inclusive, and insert "plus the breakage permitted to be retained by the licensee pursuant to Section 19485.5. The".

Amendment No. 10

On page 2, line 30, of said bill, strike out "1", and insert "2".

Amendment No. 11

On page 2 of said bill, strike out lines 32 to 35, inclusive, and insert "the license, in excess of thirty million dollars (\$30,000,000)."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 549—An act to amend Section 19511 of the Business and Professions Code, relating to licenses issued by the California Horse Racing Board.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 553—An act to amend Section 19432 of the Business and Professions Code, relating to reports of the California Horse Racing Board.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 705—An act to amend Section 337 of the Penal Code, relating to horse racing and prescribing penalties for illegal acts and practices in connection therewith.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 709—An act to add Section 19512.5 to the Business and Professions Code, relating to the obligations of licensees of the California Horse Racing Board in respect to horses in their charge.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1533—An act to amend Section 337f of the Penal Code of the State of California, relating to the use of narcotic or electrical devices on race horses.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 547—An act to amend Section 19433 of the Business and Professions Code, relating to the salary of the Secretary of the California Horse Racing Board, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 3 of the title of the printed bill, strike out ", and making an appropriation".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert "19433. Subject to the provisions of civil service, the board shall appoint a secretary who shall be placed".

Amendment No. 3

On page 1 of said bill, strike out lines 8 to 14, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 548—An act to amend Section 19533 and to repeal Sections 19535 and 19536 of the Business and Professions Code, relating to licenses to conduct horse racing meetings.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 13, of the printed bill, after "the", insert "100 days".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 310—An act to renumber Section 1557.1 of the Probate Code to be Section 1557.2, and to amend said section, and to add Section 1557.1 to said code, relating to investments by guardians and declaring the urgency thereof to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 244—An act to amend Section 673 of the Vehicle Code relating to mufflers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

Amendment No. 1

On page 1, line 7, of said bill, after "device", insert "No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the motor of such vehicle above that emitted by the muffler originally installed on the vehicle."

Amendment No. 2

Strike out lines 8 to 11, inclusive, of said bill, and insert "A muffler is a device consisting of a series of chambers or baffle plates, or other mechanical design for the purpose of receiving exhaust gas from an internal combustion engine, and effective in reducing noise."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1165—An act to amend Section 1331 of the Streets and Highways Code, relating to the county road commissioner.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

Amendment No. 1

On page 1, line 3, of the printed bill, after "has", insert "appointed a road commissioner for all road districts in the county as authorized by Section 1029, or whenever any county has".

Amendment No. 2

On page 1, line 8, of said bill, strike out "or has appointed a road commissioner"; strike out line 9; and in line 10, strike out "1029", and insert ", and such road commissioner in either of the above cases is a competent engineer".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 793—An act to amend Sections 156, 158, 159, 161, and 164 of the Vehicle Code, relating to license plates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended January 30, 1947, strike out "originally".

Amendment No. 2

On page 1, line 7, of said bill, strike out "permanently".

Amendment No. 3

On page 1, line 8, of said bill, strike out the period, and insert "for the period of their validity."

Amendment No. 4

On page 1, line 12, of said bill, strike out the period, and insert "and the year number for which issued or a suitable device issued by the department for validation purposes, which device shall contain the year number for which issued."

Amendment No. 5

On page 1, line 18, of said bill, between "suitable", and "devices", insert "plates and/or".

Amendment No. 6

On page 1, line 19, of said bill, strike out "permanent license plates", and insert "vehicle as provided in this code."

Amendment No. 7

On page 2, line 10, of said bill, after "attached", insert "during the period of its validity".

Amendment No. 8

On page 2, line 20, of said bill, after "surrendered," insert "transferred to another vehicle".

Amendment No. 9

On page 2, line 44, of said bill, strike out "permanent", and after "plates", insert "and/or validating devices".

Amendment No. 10

On page 2, line 45, of said bill, strike out "attached to which are the indicia of registration."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 11

On page 2 of said bill, strike out lines 49 to 52, inclusive; and on page 3, strike out lines 1 to 25, inclusive, and insert

"164. Department to Renew a Registration

(a) The department, upon renewing a registration, shall issue a new registration card and license plate or plates to the owner as upon an original registration. In lieu of issuing a new registration card the department may endorse or authorize the endorsement of a receipt or validation upon payment of the required fees, such receipt or validation to be stamped upon the registration card last issued for such vehicle during the preceding registration year, which registration card so endorsed or validated shall constitute the registration card for the ensuing registration year, and the department may, in place of issuing a new license plate or plates for the ensuing year, issue in lieu thereof a symbol or other device indicating the year number for which issued, which symbol or device shall be attached to the license plate or plates issued for such vehicle for the preceding calendar year, and, when so attached, said license plates with such symbols or devices shall for the purposes of this code be deemed to be the license plate or plates for the ensuing registration year.

Where practical the department shall establish a policy whereby license plates shall be issued every seventh year and that they be validated by suitable symbols or devices during the intervening six-year period.

The foregoing is intended to provide alternative methods whereby the department may issue usual registration cards with usual license plates or symbols or devices, as above stated, or may issue such symbols or devices to be attached to the license plates for the preceding calendar year and issue usual registration cards or may endorse or authorize the endorsement of a receipt or validate the registration card for the preceding year.

[(b) Where the department has issued a new registration card the department shall notify such legal owner by mail of the registration number assigned to such vehicle for the ensuing year.]"

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 210—An act to amend Section 4919 of the Education Code, relating to elections for the reorganization of school districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 785—An act to add Chapter 4 to Division 10 of the Streets and Highways Code, relating to inter-city agreements limiting the power of vacation of public streets and highways.

Bill read second time.

Motion to Amend

Senator Salsman moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, strike out "without said consent of both cities", and insert ", except in accordance with the terms of said agreement,".

Amendment No. 2

On page 1, line 18, of said bill, strike out "Where", and insert "Whenever".

Amendment No. 3

On page 1 of said bill, strike out lines 27 and 28, and insert "in accordance with said written agreement evidenced by an effective ordinance carrying into effect such written agreement".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 30—Relative to remains of Americans fighting with Allied Forces killed in action in World War II.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 17, of the printed resolution, strike out "were killed while fighting", and insert "lost their lives while serving".

Amendment read, and adopted.

Resolution ordered printed, and to third reading.

Assembly Bill No. 797—An act to amend Section 20 of the Probate Code, relating to wills.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Safety:

Amendment No. 1

On page 1, line 7, of the printed bill, after "college", insert ", State Director of Public Health".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 456—An act to amend Section 19700 of the Health and Safety Code, relating to signs in hotels.

Bill read second time, and ordered to third reading.

Assembly Bill No. 796—An act to amend Section 7100 of the Health and Safety Code, relating to control of the disposition of the remains of a deceased person.

Bill read second time, and ordered to third reading.

Assembly Bill No. 614—An act to amend Sections 9765, 9791, 13538, 13571, 13576, and 13579, and to repeal Sections 13572, 13574, 13575, 13577, 13580, and 13604 of, the Government Code, relating to the State Printing Office.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Assembly on March 21, 1947, after "Assembly", insert "the Legislative Auditor".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 805—An act to add Chapter 7 to Part 1 of Division 5 of the Health and Safety Code, comprising Sections 4010 to 4038, inclusive, and to add Section 40010 thereto, thereby consolidating and

revising the law relating to water for domestic purposes and sanitary water systems, and repealing acts and parts of acts specified therein.

Bill read third time.

Motion to Re-Refer Senate Bill No. 805

Senator Burns moved that Senate Bill No. 805 be re-referred to Committee on Public Health and Safety.

Motion carried.

Senate Bill No. 806—An act to add Chapter 5.5, comprising Sections 2425 and 2426, inclusive, to Division 3 of the Health and Safety Code, and to add Section 40019 thereto, thereby consolidating and revising the law relating to mosquito control, and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 83—An act to amend Section 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read third time.

Motion to Amend

Senator Tenney moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 14, 1947, between lines 6 and 7, insert

"One assistant marshal at five hundred fifty dollars (\$550); one deputy (chief clerk) at four hundred fifty dollars (\$450);

Three deputies (captains) at three hundred eighty-five dollars (\$385);

Four deputies (lieutenants) at three hundred sixty dollars (\$360);

Twenty deputies at three hundred thirty-five dollars (\$335);

Fifty deputies at three hundred ten dollars (\$310);

Two deputies at two hundred fifty dollars (\$250);

Two deputies at two hundred thirty dollars (\$230);

Six deputies at two hundred twenty dollars (\$220);

Three deputies at two hundred dollars (\$200);".

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 52, inclusive.

Amendment No. 3

On page 3 of said bill, strike out lines 1 to 5, inclusive.

Amendment No. 4

On page 3 of said bill, strike out lines 21 to 39, inclusive.

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 85—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Bill read third time.

Motion to Amend

Senator Tenney moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 14, 1947, strike out lines 16 to 20, inclusive, and insert "six hundred fifty dollars (\$650) per month; one marshal to be".

Amendment No. 2

On page 2 of said bill, strike out lines 2 to 6, inclusive, and insert "six hundred fifty dollars (\$650) per month; one".

Amendment No. 3

On page 2, line 8, of said bill, strike out "Any person employed"; and strike out all of lines 9 to 18, inclusive.

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 1156—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employments under said act.

Motion to Refer Bill to Inactive File

Senator Williams moved that Senate Bill No. 1156 be placed on the inactive file.

Motion carried.

Senate Bill No. 993—An act to amend Sections 18661, 18662, and 18671 of the Education Code, relating to the dedication, sale, granting and leasing of real property belonging to school districts and of interests therein.

Bill read third time.

Motion to Amend Title

Senator O'Gara moved the adoption of the following title amendment:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on April 14, 1947, after "therein", insert ", declaring the urgency thereof, to take effect immediately".

Amendment read, and adopted.

Further Consideration of Senate Bill No. 993

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Senate Bill No. 993 ordered printed, and transmitted to the Assembly.

Senate Bill No. 1214—An act to amend Section 18191 of the Education Code, relating to the construction of school buildings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 $\frac{3}{4}$ of Article II thereof, relating to primary elections.

Resolution read.

Motion to Re-Refer Senate Constitutional Amendment No. 6

Senator Mayo moved that Senate Constitutional Amendment No. 6 be re-referred to Committee on Elections.

Motion carried.

Senate Bill No. 65—An act to amend Sections 2821 and 2827 of the Elections Code, relating to state central committees of political parties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybert, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1057—An act to amend Section 2458 of the Business and Professions Code, relating to fees under the chapter on medicine and surgery.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Ward, Watson, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER

Senate Bill No. 580—An act to amend Section 6902 and to repeal Section 6903 of the Labor Code, relating to train crews.

Motion to Reconsider Waived

Senator Carter waived his motion to reconsider the vote whereby Senate Bill No. 580 was passed.

Senate Bill No. 580 ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1058—An act to amend Section 2011 of the Business and Professions Code, relating to instruction requirements to practice medicine and surgery.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1060—An act to amend Section 2117 of the Business and Professions Code, relating to the Board of Medical Examiners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1063—An act to amend Section 2450 of the Business and Professions Code, relating to the payment of the annual tax and registration fee for physicians and surgeons, drugless practitioners, chiroprodists and midwives.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1064—An act to amend Section 2174 of the Business and Professions Code, relating to disapproval of schools under the chapter on medicine and surgery.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse,

Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1065—An act to amend Section 2114 of the Business and Professions Code, relating to the publication of a directory.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1070—An act to add Section 2391.5 to the Business and Professions Code, relating to unprofessional conduct under the chapter on medicine and surgery.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1071—An act to amend Section 2390 of the Business and Professions Code, relating to unprofessional conduct under the chapter on medicine and surgery.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 849—An act to amend Section 3044 of the Business and Professions Code, relating to the practice of optometry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 249—An act to amend Sections 2450 and 2452 of the Business and Professions Code, relating to chiropody.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Quinn, Rich, Salsman, Tenney, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 490—An act to amend Section 4806 of the Business and Professions Code, relating to the salary of the Secretary of the Board of Examiners in Veterinary Medicine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 181—An act to amend Section 215 of the Revenue and Taxation Code, relating to veterans organizations.

Bill read third time.

Motion to Amend

Senator Quinn moved the adoption of the following amendments:

Amendment No. 1

On page 6 of the printed bill, strike out "which has been chartered"; and in line 7, "by the Congress of the United States".

Amendment No. 2

Strike out lines 12 to 16 of said bill, and insert

"For the purpose of this section, a veteran organization is defined as one which has been chartered by the Congress of the United States and any organization, association or corporation wholly owned by members of such organization so chartered.

Any organization, association or corporation mentioned in this section is hereby defined as a charitable organization organized and operated for charitable purposes. The exemption mentioned in this section shall be known as a "welfare exemption"."

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 1198—An act to amend Sections 3456a and 3460 of the Political Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Tenney, Ward, Watson, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 157—An act to amend Section 164 of, and to add Section 182.1 to, the Vehicle Code, relating to the registration and

transfers of registration of vehicles, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Quinn.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Burns, Busch, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Tenney, Ward, Watson, and Weybret—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 781—An act to amend Sections 14.2, 15, 16, 16.1, 16.2, and 19.6 of the Fish and Game Code, relating to the general regulatory powers of the Fish and Game Commission.

Bill read third time, and presented by Senator Quinn:

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Cunningham, DeLap, Desmond, Deuel, Dillinger, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Quinn, Slater, Tenney, Ward, Watson, and Weybret—21.

NOES—Senators Burns, Donnelly, Mayo, Powers, Rich, and Salsman—6.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 18—Relative to memorializing Congress to enact legislation to authorize conversion of federal savings and loan associations into state savings and loan or building and loan associations.

Resolution read, and presented by Senator McBride.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Burns, Busch, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Swing, Tenney, Ward, Watson, and Weybret—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 492—An act to amend Section 320b of the Civil Code and Section 2218 of the Corporations Code, relating to representing shares of stock in corporations, and specifying the rights of nominees of fiduciaries to represent such shares.

Bill read third time, and presented by Senator DeLap.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 493—An act to amend Section 105 of the Bank Act, relating to trust companies' investments: Deposit in banks: Stock or other securities, and the registration of stock or other securities in the name of trust company nominees: Liability of corporations, their registrars and transfer agents with respect to stock registered in the name of trust company nominees.

Bill read third time, and presented by Senator DeLap.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 72—An act to amend Section 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Tenney, Watson, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1048—An act to add Section 3084.3 to the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read third time, and presented by Senator Dillinger.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 401—An act to add Section 120.7 to the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Bill read third time, and presented by Senator DeLap.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Hulse moved that Senate Bill No. 609 be taken from the inactive file, and placed on the second reading file.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1531—An act to amend Section 20343.1 of the Education Code, relating to the refund of state college student fees.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1062—An act to amend Section 1 of the Annexation of Uninhabited Territory Act of 1939, relating to the alteration of boundaries of municipalities.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1340—An act to ratify and confirm city ordinances which granted pueblo lands for cemetery purposes.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 25—An act to add Section 1662 to the Civil Code, relating to contracts for purchase and sale of real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Busch, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, and Watson—24.

NOES—None.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 462—An act to amend Section 132.5 of the Agricultural Code, relating to the control of pests on property belonging to or under the control of public agencies.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 462?

Amendment No. 1

On page 1 of the printed bill, as amended, following line 14, insert "This section shall apply to state highway rights of way where pests of the same kind have or are being subjected to control, destruction or eradication on other private or public property in the immediate vicinity thereof, either at the direction of the commissioner or voluntarily by the owner of such adjacent property."

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 462 by the following vote:

AYES—Senators Breed, Busch, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, and Watson—26.

NOES—None.

Above bill ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Senators Hatfield and Crittenden:

Senate Resolution No. 74

Relative to the prices of fluid milk and fluid cream

WHEREAS, The Agricultural Code provides that the Director of Agriculture shall prescribe or provide methods for prescribing the minimum prices to be paid by distributors of fluid milk and fluid cream to the producers thereof in such parts of the State as are or may be designated as marketing areas; and

WHEREAS, The method of payment prescribed for fluid milk has been based solely upon the milk fat content thereof, with no consideration as to solids-not-fat content thereof; and

WHEREAS, It has been represented to the Senate Standing Committee on Agriculture that the milk produced from certain breeds of dairy cattle, particularly the Holstein-Friesian, is relatively low in milk-fat but relatively high in solids-not-fat, and that the method of payment prescribed disregards the values of the milk attributable to the solids-not-fat; and

WHEREAS, It has been represented to said committee that establishing the price of fluid milk solely on a milk-fat basis results in discrimination against the producers with cattle producing low milk-fat milk in that they receive no compensation for, and in effect make the distributors a gift of, the additional values attributable to the solids-not-fat, which then can be used and sold by the distributors in a variety of forms with a definite cash value; and

WHEREAS, It has been represented to said committee that in the great majority of the marketing areas within the United States the prices for fluid milk are based upon a method which gives consideration to all of the values in such milk and that such method is the only fair and equitable method for fixing such prices; and

WHEREAS, It has also been represented to said committee the Legislature of this State for years has prescribed by law the minimum milk fat requirements for fluid milk, thereby indicating that the consuming public desire that milk be relatively rich in milk-fat and encouraging milk producers to use the breeds of dairy cattle producing milk with a high milk-fat content; and

WHEREAS, It was further represented to said committee that the dairy industry is of vital importance to the State and that the basic price of fluid milk affects not only that product but a great number of other dairy products; and

WHEREAS, It is apparent that the problem is extremely complex and is one that requires study and research in order to understand all of the relevant factors required to be considered; and

WHEREAS, The method now in effect in California is determined by the Director of Agriculture and no legislation is required to authorize him to adopt a new method if it is desirable to do so; now, therefore, be it

Resolved by the Senate of the State of California, That the Director of Agriculture is hereby requested to make an investigation of the methods of establishing minimum prices for fluid milk, and particularly methods based upon solids-not-fat as well as milk-fat, and, if he determines that some method other than the one now in effect is more just and equitable to take such steps as may be necessary to put

such other method into operation in the several marketing areas within this State; and be it further

Resolved, That the College of Agriculture of the University of California through the research department of said college is requested to cooperate with and assist the Director of Agriculture in his investigations and studies pursuant to this resolution; and be it further

Resolved, That the Director of Agriculture is requested to report to the Senate within five days after the convening of the 1948 Regular Session of the Legislature as to his activities pursuant to this resolution and the results thereof; and be it further

Resolved, That the Secretary of the Senate is directed to transmit a copy of this resolution to the Director of Agriculture of the State of California, the President of the University of California, and the Dean of the College of Agriculture of the University of California.

Resolution read, and, on motion of Senator Hatfield, adopted.

NOTICE OF A MOTION

Senator Hatfield gave notice that on Friday, April 18, 1947, he will move that Senate Bill No. 344 be taken from the inactive file, and placed on the second reading file.

REQUEST FOR UNANIMOUS CONSENT

Senator Hatfield asked for, and was granted, unanimous consent to have the following analysis relative to Senate Bill No. 344 printed in the Journal in 10-point type:

ANALYSIS OF CHANGES EFFECTED BY SENATE BILL NO. 344, AS AMENDED APRIL 1, 1947, FROM EXISTING PROVISIONS OF CHAPTERS 1 TO 6, INCLUSIVE, DIVISION 4, AGRICULTURAL CODE

This bill rearranges the provisions of Chapters 1 to 6, Division 4, Agricultural Code, into 10 new chapters, all sections affected receiving a new number except Sections 499 and 500.

This analysis relates only to changes in substance made by the bill. Purely verbal changes, changes in cross-references made necessary by the changes in section numbers, and restatements without change in effect are disregarded. However, when there is any question whether or not a substantive change is intended by a particular provision, it is included herein.

The first number in a paragraph is that of the section or part of section in the bill followed by its source in the present law in parentheses, or by an indication that it is new. Where a change can be shown more graphically by strikeout and underline that method is followed.

Throughout the bill any reference to sheep's milk is deleted. "Department" is changed to "director" and "cubic centimeter" to "milliliter." Inasmuch as "milk" is redefined to include milk from goats, "goat's milk" is frequently deleted, and reference to "cows" expanded to include goats. These changes are not included in this analysis.

Abbreviations

Subd.-----subdivision of section.
Sent.-----sentence of section.
Para.-----paragraph of section.

The term director means Director of Agriculture. "Specifies" means that the provision put into the law is there already by implication. "Deletes specification" means that what is taken out is still covered by implication.

442, subd. (d) (445, subd. (b)) "~~Examine and, inspect, test or by other means determine the health of cows and exclude reacting animals from the herds animals the milk from which is unfit for human consumption.~~"

443 (453) Provides for condemnation of milk or cream that is "tainted" as well as that which is impure, unclean, adulterated or unwholesome. (Note—Present Sec. 641 prohibits sale, etc. of tainted milk or cream).

Present law prohibits destruction of condemned milk or cream until 12 hours after producer is notified. Bill requires producer to request return of milk or cream at his expense immediately upon notification.

445 (454) Provides that no samples of test need be given accused when taken for proof of fraudulent manipulation of test for the basis of payment for, rather than milk fat or bacteria count in, milk or cream.

446 (455, except subd. (b)) Specifies that director may adopt score cards for milk products plants.

447 (661) Requires, rather than permits, director to compile and publish dairy industry statistics. Deletes provision for charging for publications.

448 (662, 1st para.) Requires monthly, rather than annual, reports from milk products plants and distributors. Authorizes director to require reports annually, semiannually, or quarterly.

450 (466, subds. (a) (b) (e)) Expands definitions of milk to apply to milk from goats as well as that from cows. Deletes definition of sheep's milk. Specifies that milk is *unadulterated* lacteal secretion of cows or goats. Prohibits using, as well as obtaining, milk for human consumption for certain periods before or after parturition.

Deletes provision that milk must contain at least 8.15 percent solids not fat and for stabilization at not less than 3 percent milk fat. (Note—These provisions appear, with modification as to milk fat, in standards for market milk—460 (476 . . .) below.)

451 (476, 1st and 4th sents. of subd. (a)) Market milk defined as that supplied consumer in "the *natural* fluid state or *prepared for human consumption without being converted into another form or product.*" (Note—Restores this provision to way it read prior to amendment by Ch. 611, Stats. 1945.)

460 (476, subd. (a), 2d and 3d sents.) Redefines market milk. Reduces maximum bacteria count for raw milk from 25,000 to 15,000, for milk prior to pasteurization from 100,000 to 75,000 per milliliter, retaining present maximum of 14,000 for pasteurized milk at time of delivery.

Establishes cooling requirements. Raw milk to be cooled to 50 degrees F. or below and so maintained until delivery to consumer. Market milk delivered for pasteurization need not be cooled to 50 degrees F. or below if it arrives at the milk products plant within four hours after production if it meets bacteria standard and is so cooled immediately upon arrival or if separation or pasteurization commences immediately.

Increases minimum fat content from 3.3 to 3.5 percent. Retains present minimum of 8.15 percent of solids not fat.

- 461 (476, subd. (b)) Bottles and containers. Requires that skim milk, buttermilk, and cultured buttermilk, as well as market milk, for retail trade to be in bottles or containers. Expands prohibition against transferring milk outside of milk room or place where served to include all such products.
- 463 (478) Bottling. Requires representative of inspection service to be "present" rather than "maintained" when raw and pasteurized market milk are bottled in same plant, unless all milk received is Grade A.
- 464 (479) Serving of market milk. Expands to require that seal of container, as well as cap of bottle, be removed in presence of customer or patron, and to make provision applicable to all places where food or drink is sold to public, and to schools and hospitals.
- 467 (483, subd. (a)) Guaranteed raw milk. Deletes minimum milk fat requirement of 3.5 percent—rendered unnecessary by increase of required fat content of market milk.
- 468 (483, subd. (b)) Guaranteed pasteurized milk. Requires bottling at place where produced—same as guaranteed raw milk.
- 469 (484, subd. (a)) Grade A raw. Permits determination of health of cows by any method, rather than only "by physical examination."
- 470 (484, subd. (b)) Grade A pasteurized. Makes same changes as 469 above. Adds cooling requirements same as for market milk—see 460 above.
- 471 (New) Homogenized market milk.
- 472 (New) Homogenized market cream.
- 473 (New) Requires homogenized market milk and cream to be so labeled. Prohibits mixing with market milk or cream.
- 474 (New) Half and half.
- 475 (New) Labeling of market cream.
- 477 (486) Degrading or excluding milk for market milk for low score on score card. Permits mailing in lieu of giving copy of notice to distributor or processor who buys such milk.
- 478 (New) Degrading or excluding for high bacteria count. Provides procedure for recounts.
- 482 (488) Milk bottle caps and labels. Prohibits use, as well as sale, of caps unless properly packaged.

- 483 (489) Grade designations. Provides maximum bacteria count for market cream shall be not more than twice, rather than three times, that for corresponding grade of milk.
- 484 (664) "~~All vehicles from which market milk, cream, butter, ice cream, buttermilk or ice milk and milk products are regularly sold; and marketed; delivered or peddled; shall have the name and address of the owner distributor plainly lettered thereon in letters at least three inches high; and one and a half inches wide, on both sides of such vehicle.~~"

- 490 (496) Approved milk inspection services. The last paragraph is amended to read:

No provision of this division; ~~except subdivision (b) of Section 498, or any rule and regulation of the director is shall be~~ a limitation on the power of a municipality or county to ~~provide for reasonable additional regulations not in conflict therewith requiring standards higher than the minimum requirements for the grades of market milk established in this division; but any municipal or county ordinance or regulation requiring higher~~ require that all market milk sold therein shall be pasteurized market milk, nor a limitation against ordinances requiring the protection of the pouring lips of standard milk bottles and single service containers nor a limitation on ordinances which prescribe minimum standards for milk fat and solids not fat higher than those established in this division ~~shall apply only to~~ in market milk after standardization by a ~~milk~~ distributor.

(Note—Effect of this section in present law and in the bill is to limit local legislation to legislation on the subjects specified. The State having occupied the field of milk regulation, the local governmental agencies may legislate only within the field relinquished to such regulation by the provisions of the section.)

- 492 (498) Specifies that minimum construction standards apply to extensive repairs to existing market milk dairy farms as well as new ones. Retains provision that buildings need not be rebuilt unless owner is making repairs to extent of 75 percent of value of existing buildings.
- 501 (New) Provides for designation of milk inspection service to inspect dairy farms when milk produced in a county is sold within the jurisdiction of one or more inspection services.
- 502 (501, subd. (b)) Expands provision for protest of designation of milk inspection service to include reference to new 501. Deletes grounds for protest. Authorizes milk inspection service, rather than health officer, to file protests, retaining provision for protest by producer or distributor.
- 503 (500, subd. (c)) Milk inspection service fees. Deletes reference to inspection fees, provides for collection from distributors only. Distributor to pay inspection service under supervision of which his plant operates and the service which inspects dairy farms all of the milk from which goes direct to distributor operating plant in jurisdiction of another inspection service.

- 505 (500, subd. (e)) Specifies that inspection services shall enforce provisions of code in accordance with rules and regulations of director pertaining to market milk.
- 506 (500.5, 1st para.) Provides that when permit is issued by milk inspection service designated by director no other permit shall be required of producer or milk products plant by another milk inspection service.
- (508) (New) Requires distributor selling in another jurisdiction to register with and furnish the inspection service therein with evidence that permit is in effect. To be done at least 48 hours before sale or distribution of milk in such other jurisdiction.
- 515 (631 and 634) Pasteurization defined. Deletes specification that purpose of pasteurization is to eliminate harmful organisms, confining definition to description of process. Recasts provision for use of other process to require demonstration of efficiency, rather than only investigation, and approval of director.
- 518 (New) Authorizes repasteurization of pasteurized skim milk from market milk used in standardizing pasteurized market milk.
- 520 (635, 2d para.) Thermometer records. Deletes provision for delivering records to health officers, etc. in lieu of preserving them.
- 528 (642) Deletes from provision prohibiting sale, etc. of milk produced or handled under unsanitary conditions, prohibition against sale, etc. of milk of animals affected by any disease.
- 529 (466, subd. (f)) Deletes provision that milk is unfit for human consumption if it does not meet standards for milk.
- 531 (647) Requires conveyances transporting milk or cream or clean empty containers and shipping platforms, etc. where containers are held to be afforded protection from contamination. Deletes specification that conveyances etc. must be enclosed or provided with canvas covers and protected from direct rays of sun, warm air, dust, mud, and other sources of contamination. Deletes provision that containers of milk or cream shall be handled carefully and kept right end up when containing milk or cream.
- 532 (648) Prohibits receipt or transportation of unclean, polluted, etc. milk or cream after notice from milk inspection service, as well as from director. Excepts condemned milk or cream being returned to producer.
- 533 (656) Prohibits use of any preservative in milk, cream, or product thereof, rather than chemical or substance to prevent or delay fermentation or souring.
- Prohibits adding any substance not permitted by code, rather than substances to increase consistency or make milk, etc., appear richer or of higher quality.

Article 2. Dairy Farm Sanitation

Throughout article, provides that dairy farm is deficient and unsatisfactory, as well as unsanitary, if it fails to meet requirements.

- 536, subds. (a) and (b) (643, subd. (g)) Deletes urinals and privy vault from lists of things not permitted within 100 feet of milk room or 50 feet of milking barns. Adds requirement for disposal of human excreta by flush toilets and septic tanks, approved pits, or chemical toilets, conveniently located, properly constructed, operated and maintained, so that waste is inaccessible to flies and will not pollute surface soil or contaminate water supply. No pit or chemical toilet to be within 100 feet of milk room or 50 feet of milking barn.
- subd. (c) (643, subd. (j)) Provides buildings, as well as yards and enclosures, are not to be filthy or insanitary.
- 537, subd. (a) (New) Requires water supply for milk room and dairy barn to be properly located, constructed, and operated, easily accessible, adequate, protected against contamination, safe and sanitary in quality. Bacterial quality to conform to State Board of Health standards for drinking water.
- subd. (b) (643, subd. (k)) Restricts application of provision to use of water for drinking by livestock, deleting applicability to water for use around dairy farm covered by subd. (a) above.
- subd. (c) (New) Requires persons liable to come in contact with milk or cream to be free from communicable disease and not a carrier thereof.
- 538, subd. (a) (643, subds. (f) and (m)) Recasts provisions for milk house or room. Permits it to be part of building, but not of room, where milking cows are kept. Prohibits it from communicating with, as well as being part of, living or sleeping place or room.
- subd. (b) (643, subd. (a)) Requires sterilization by water or steam to be by exposure to 200 degrees F. or above without time limit, retaining present 170 degrees for at least 15 minutes for milking machine rubber parts. Continues present authorization of other methods.
- 539, subd. (c) (643, subd. (d)) Requires cleanliness of person and apparel of handler of containers or equipment as well as of milk or its products. Requires milkers' hands to be dry as well as clean during milking.
- 540, subd. (a) (643, subd. (e)) Requires milk or cream to be cooled to within 4 degrees F. of temperature of coldest water available, rather than to as low a temperature as practicable. Requires it to be kept as cool as possible until delivery to plant, rather than to plant or consumer.
- subd. (b) (643, subd. (h)) Substitutes provision that milking barn, milk house or room must be kept clean and free from accumulated dust and cobwebs for provision that stables, barns, milking sheds, milk house or room must be painted or whitewashed if authorized inspector thinks it is needed.
- subd. (c) (643, subd. (i)) *If the walls of the milking barn become soiled with manure, urine or filth.*

- 541 (643.1) Prohibits degrading or excluding from market for any infraction, rather than specified ones, if it can be corrected in 48, rather than in 24 hours.
- 542 (New) Provides that no notice need be given for subsequent infraction of any provision of article occurring within 12 months following infraction for which notice was given.
- 542.1. (New) Provides for immediate degrading and exclusion of contaminated milk or cream or that produced under conditions which might render it subject to contamination.
- 543 (New) Requires action on application for reinstatement after degrading or exclusion within three days after receipt.
- 544 (643.2) Expired duration section permitting handling and sterilizing containers, etc., in milk room.

Article 3. Milk Products Plants

- 550, subd. (a) (644, subd. (a)) Plant is insanitary if milk, cream, or product is received which is impure, tainted, unclean, adulterated, or unwholesome, as well as when in advanced stage of fermentation, etc.
- subd. (b) and (c) (644, subd. (b)) Requires sterilization of utensils, etc., by heating to above 200 degrees F., rather than by boiling water or superheated steam. Retains provision for use of chemical or other process for sterilization. Adds exception "as otherwise provided" to take care of 588 (645) which allows containers, etc., to be used for handling and bottling fruit juices, etc.
- subd. (d) (New) Requires inside surfaces of containers and equipment that come in contact with milk, etc., to be smooth, readily cleanable, and free from open seams, cracks or crevices.
- 551, subd. (a) (644, subd. (c)) Floors. Specifies that floors shall be sloped so that drainage will flow to drainage points.
- subd. (b) (644 subd. (d)) Drains. Specifies that drains shall be trapped to exclude odors and connected with a sewer. Drainage to be carried at least 100, rather than 50, feet away from plant.
- subd. (c) (New. Based on 644, subd. (c)) If upon the floor or walls any milk or its products or any filth is allowed to accumulate, ferment, or decay.
- 552, subd. (a) (644, subd. (f), 1st sent.) Buildings connected with plant not to be used except to handle milk, equipment, etc.
- 552, subd. (b) (644 subd. (d) in part) Water supply.

"If such milk products plant is not adequately and conveniently supplied with water free of pollution with sewage or contamination with pathogenic bacteria unless said water is subjected to efficient chlorination or otherwise treated to make it safe for use in connection with the manufacture of food products. If the water supply is not properly located and constructed so as to be

easily accessible, adequately operated and protected against contamination. The bacterial quality must conform to standards of the State Board of Health for public supplies of drinking water. "

552, subd. (d) (644, subd. (g)) Adds requirement for self-closing doors. subd. (e) 644 (subd. (e)) Requires light equivalent to one 50-watt bulb per each 100 feet of floor area.

553, subd. (a) (644, subd. (g)) *"If tight, sound and cleanable walls and ceilings are not provided so as to exclude flies, insects and dust or if walls are not constructed of nonabsorbent material, acceptable to the director, sufficiently above the floor to take care of any splash and to prevent the flowing or seepage of water or other fluids underneath or between the wall and the floor or supporting members."*

subd. (b) (644, subd. (f) in part) *"If a suitable toilet, with self-closing door, and lavatory facilities, soap and clean towels are not provided for employees, or if any toilet communicates directly with any room used for handling milk or its products or with any room used for the washing, sterilizing and storage of containers and supplies."*

subd. (d) (New) Persons coming in contact not to have communicable disease or be carriers thereof.

subd. (e) (New) Equipment not to be placed so as to prevent cleaning of walls or floors.

554 (New) Provides minimum construction standards for new milk products plant.

555 (New) Requires submission of plans for new plants, or for extensive repairs, to director and his approval before work may be done.

560 (506, subd. (a)) Ice cream defined. Changes "dry skim milk" to "nonfat dry milk solids."

561 (506, subd. (b)) Ice milk defined. Same change as in 560 above.

566 (509) French ice cream and similar products. Deletes reference to cooked ice cream, ice custard, parfaits.

567 (509.1) Obsolete duration provision re contents of ice cream, ice milk, etc.

615 (542, subd. (a)) Deletes pasteurized cheese, making section apply only to pasteurized blended cheese.

617 (543) Same as 615 above.

620 (547) Deletes provision that present Sec. 470, re tuberculin tests does not apply to cheese manufactured or processed in foreign countries.

621 (545.5) Obsolete duration provision relating to use of evaporated or condensed milk, nonfat dry or defatted milk solids in manufacture of cheese.

626 (552) Skim milk defined as milk from which milk fat removed until less than 3.4, rather than 3, percent remains and which contains not less than 8.5, rather than 8.8, solids not fat. Requires skim

milk to conform to bacterial standards for grade or class from which derived. Requires label to show grade or class, and that all labels be in letters not less than $\frac{1}{8}$ -inch high and $\frac{1}{16}$ -inch in width.

- 632 (557) Requires labeling of containers of buttermilk with name and address of distributor.
- 633 (558) Redefines cultured buttermilk to include nonfat dry milk solids and condensed skim milk as permissible ingredients. Permits admixture of butter. Requires not less than 8 percent milk solids. Requires labeling of containers in which sold with name and address of distributor.
- 637 (562) Requires milk, cream, or skim milk for milk drinks to be pasteurized. Makes provision applicable to mixed cream drinks, but inapplicable to soft drinks made and sold under trade name.
- 648 (584) Expands provisions re serving oleomargarine, butter substitute or cheese substitute to apply to all places where food or drink is served to public, rather than places of public entertainment. Deletes provision for delivery of statement and verbal notification to consumer that substance is substitute, and requires sign to be posted in room where meal served that oleomargarine, etc. is served there. Sign to be in black face letters not less than four inches high on white background.
- 655 (596) Expands provisions re serving imitation milk to apply to all places where food or drink is served to public rather than places of public entertainment.
- 660 (671) Renames factory licenses to be milk products plant licenses. Prescribes contents of application. Specifically exempts producers who produce and distribute raw market milk exclusively.
- 661 (672) Puts milk products plant license on calendar year basis. Deletes alternative of basing fee on gallons, making it on basis of milk fat received.
- 666 (611) Permits other carriers, as well as boats and railroads to possess for transportation oleomargarine and other substitutes and imitations, without having license.
- 671 (616) Requires other carriers to keep records now required of boats and railroads re oleomargarine and other substitutes and imitations.
- 674 (663) Deletes "knowingly" from prohibition against rendering false, etc., statement or bill showing weight, grade, etc., of milk or milk products.
- 676 (666) Requires milk products and imitations to be labeled and billed, rather than labeled or billed, with correct name of product.
- 681 (676) Provides for pasteurizer's license for persons operating pasteurizing equipment.
- 682 (677) Fixes pasteurizer's license fee at \$1. Specifies all applications for technical licenses must be accompanied by fee.

- 691 (New) Provides for expiration of registration of mark, name or brand on June 30th of even numbered years. Registration to be canceled if renewal fee is unpaid for 60 days. Fee is \$1. Prohibits use of "Registered in California," or "Reg. Cal." if brand not registered.
- 693 (703) Requires persons purchasing containers or equipment bearing registered brand to submit to director a copy of bill of sale.
- 694 (New) Requires carriers, except those carrying milk, cream, or containers to or from dairy farm, from carrying registered containers, etc., without bill of lading or invoice showing consignor, consignee, number of containers, etc., and brand.
- 701 (710) Expands provision re cleaning of containers prior to return after use to include all places where food or drink is served the public, rather than places of public entertainment and to specifically include schools and hospitals. Requires such containers to be rinsed and drained, rather than thoroughly washed and dried. Makes same provision as to containers returned by retail consumers, which under present law must be "thoroughly cleansed after emptying." Deletes requirement that carrier, before accepting empty containers, must require that container be marked with name and address of person returning it.

The following provisions in the present law are omitted and not covered by the bill:

"482. It is unlawful to sell any cream, skimmed milk, butter-milk, ice cream, butter, cheese, or other milk products as certified, or use the word 'certified' in connection with the sale, designation, advertising, labeling or billing thereof unless the same and all products of milk contained therein or used in the manufacture thereof are obtained exclusively from milk which conforms to the requirements of this division for certified milk, and unless in addition thereto the methods and conditions under which such cream, skimmed milk, buttermilk, ice cream, butter, cheese and other milk products, as the case may be, have been prepared or manufactured, as regards cleanliness and sanitation, conform to the requirements of the milk commission whose certification is sought.

585. No action can be maintained on account of any sale or other contract made in violation of, or with intent to violate, this chapter, by or through any person knowingly a party to such wrongful sale or contract. Every person having possession or control of any oleomargarine, or any substitute for butter or substitute for cheese, which is not marked as required by the provisions of this chapter is presumed to know that the same is oleomargarine, or a substitute for butter, or a substitute for cheese, as the case may be."

FRED B. WOOD, Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

CROSS REFERENCE TABLE

Showing disposition of Agricultural Code sections in Senate Bill No. 344, as amended in Senate April 1, 1947.

Note—Letters in parentheses following section numbers refer to subdivisions; “para.” means paragraph; “sent.” means sentence.

<i>Ag. C. Sec.</i>	<i>S.B. 344 Sec.</i>	<i>Ag. C. Sec.</i>	<i>S.B. 344 Sec.</i>
451	440	500.5 1st para.	506
451.5	441	500.5 2d para.	Omitted.
452	442 (a) (b)		Covered by
	(c)		492
453	443	500.5 last para.	507
453.1	444	501 1st para.	509
454	445	(a) (b) (c) (d)	
445, except (b)	446	501 6th para.	510
455 (b)	442 (d)	501 7th para.	511
456	Omitted.	501 last para.	512
	Covered by	506 (a)	560
	446	506 (b)	561
466 (a) (b)	450	506 (c)	562
466 (c)	452	506 (d)	563
466 (d)	Omitted.	507	564
	Covered by	508	565
	450	509	566
466 (e)	Omitted.	509.1	567
466 (f)	529	510	568
467	Omitted.	511	569
	Covered by	512	570
	450	513	571
468	453	514 1st sent.	572
469	481	514 2d sent.	Omitted.
469.5	457		Covered by
470	454		480
471 (a) (b)	455	515	573
471 (c) (d) (e)	456	521	590
476 subd. (a)	451	523 1st para.	592
1st and last sents.		523 2d, 3d paras.	593
476 (a) 2d and	460	524	594
3d sents.		525 (a)	595
476 (b)	461	525 (b)	596
477	462	525 (c)	597
478	463	525 (d)	598
479	464	525 (e)	599
480	465	526	600
481	466	527	601
482	Omitted.	528	678
483 (a)	467	529	677
483 (b)	468	530	679
484 (a)	469	531	680
484 (b)	470	540	619
485	476	541	605
486	477	542 (a)	615
487 1st and	479	542 (b)	616
2d paras.		543	617
487 3d para.	480	544	606
488	482	545 1st clause	607
489	483	545 (a)	608
496	490	545 (b)	609
497	491	545 (c)	610
498	492	545 (d)	611
498.5 1st para.	493	545 (e)	612
498.5 (a)	494	545 (f)	613
498.5 (b)	495	545 (g)	614
498.5 (c)	496	545.5	621
498.5 (d) (e)	497	546	618
498.5 (f)	498	547	620
499	499	551	625
500 (a)	500	552	626
500 (b)	502	553	627
500 (c)	503	553.5	628
500 (d)	504	554	629
500 (e)	505	555	630

<i>Ag. C. Sec.</i>	<i>S.B. 344 Sec.</i>	<i>Ag. C. Sec.</i>	<i>S.B. 344 Sec.</i>
556	631	643 (e)	540 (a)
557	632	643 (f)	538 (a)
558	633	643 (g)	536 (a)
559	634	643 (h)	540 (b)
560	635	643 (i)	540 (c)
560.1	636	643 (j)	536 (c)
561	665	643 (k)	537 (b)
562	637	643 (l)	540 (d)
576 1st sent.	591	643 (m)	538 (a)
576 last sent.	Omitted.	643.1	541
	Unnecessary.	643.2	544
577	640	643.5	545
578	641	644 (a)	550 (a)
579	642	644 (b)	550 (b) (c)
580	643	644 (c)	551 (a) (c)
581	644	644 (d)	551 (b)
582	645		552 (c)
583 1st sent.	646	644 (e)	552 (e)
583 2d sent.	647	644 (f)	551 (c)
584	648		552 (a)
585	Omitted.		553 (b) (c)
590	651	644 (g)	552 (d)
591	650		553 (a)
592	652	644.5	556
593	653	644.6	557
595	654	645	558
596	655	646	530
601	Omitted.	647	531
	Obsolete.	648	532
601.5	576	656	533
602	577	661	447
603	578	662	448
604	579	663	674
605	580	664	484
606 1st para.	581	665	675
606 2d para.	582	666	676
607	583	671	660
611	666	672	661
612	667	673	662
613	668	674	663
614	669	675	664
615	670	676	681
616	671	677	682
617	672	681	685
618	673 last part	682	686
619	673 1st part	683	687
620	638	686	688
621	656	687	689
631	515 1st 3 paras.	690	683
632	516	701	690
633	Omitted.	702	692
	Obsolete.	703	693
634	515 last para.	704	695
634.5	517	705	696
635 1st para.	519	706	697
635 2d para.	520	707	698
636	521	708	699
637	522	709	700
640	525	710	701
640.5	526	711	702
641	527	721	705
642	528	721.5	706
643 1st clause	535	722	Omitted.
643 (a)	538 (b)		Covered by
643 (b)	539 (a)	723	660
643 (c)	539 (b)	724	707
643 (d)	539 (c)		708

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 92
Assembly Bill No. 483
Assembly Bill No. 623
Assembly Bill No. 625
Assembly Bill No. 745
Assembly Bill No. 787

Assembly Bill No. 879
Assembly Bill No. 1127
Assembly Bill No. 1131
Assembly Bill No. 1132
Assembly Bill No. 1135
Assembly Bill No. 1445

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 92—An act to amend Section 4200 of the Government Code, relating to contractor's bonds on public works.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 483—An act to add Section 432.7 to the Fish and Game Code, relating to licenses for hunting and fishing guides.

Referred to Committee on Fish and Game.

Assembly Bill No. 623—An act to amend Section 799.1 of, and to add Section 799.2 to, the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 625—An act to amend Section 799 of, and to add Section 799.3 to, the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 745—An act to amend Sections 420 and 421 of the Fish and Game Code, relating to fishing, and the issuance of licenses therefor.

Referred to Committee on Fish and Game.

Assembly Bill No. 787—An act to amend Section 781 of the Fish and Game Code, relating to lobsters.

Referred to Committee on Fish and Game.

Assembly Bill No. 879—An act to amend Section 697.5 of the Fish and Game Code, relating to striped bass.

Referred to Committee on Fish and Game.

Assembly Bill No. 1127—An act to amend Section 12 of the Agricultural Code, relating to delegation of power or authority.

Referred to Committee on Agriculture.

Assembly Bill No. 1131—An act to add Section 106.3 to, and to amend Sections 115 and 124 of, the Agricultural Code, relating to warning tags or notices.

Referred to Committee on Agriculture.

Assembly Bill No. 1132—An act to amend Section 108.5 of the Agricultural Code, relating to host-free periods and districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1135—An act to amend Section 123 of the Agricultural Code, relating to nursery stock manifests.

Referred to Committee on Agriculture.

Assembly Bill No. 1445—An act to amend Sections 254, 255, 256, 263, and 271 of the Health and Safety Code, and to amend and renumber Sections 257 and 258 of said code, to add Section 275.5 to said code, and to repeal Sections 265 and 266 of said code, relating to physically handicapped children.

Referred to Committee on Social Welfare.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 27

Assembly Constitutional Amendment No. 32

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 25½ of Article IV thereof, relating to the Fish and Game Commission.

Referred to Committee on Fish and Game.

Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article II thereof, relating to electors.

Referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES

Committee on Finance

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Finance, to which were referred:

Assembly Bill No. 2570

Assembly Bill No. 2597

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 1108

Has had the same under consideration, and reports the same back without recommendation because it carries no appropriation.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 1282

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bill ordered to second reading.

Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 538

Senate Bill No. 1184

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

MCBRIDE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Assembly Bill No. 1003

Assembly Bill No. 1005

Assembly Bill No. 1988

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

MCBRIDE, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 751

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 6; noes 1; absent 4.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 1456

Senate Bill No. 13

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

QUINN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 150

Senate Bill No. 151

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

QUINN, Chairman

Above reported bills ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 18

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 16—Relative to the ratification of an amendment to the Constitution of the United States, proposed by the Congress of the United States, relating to the terms of office of the President;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the sixteenth day of April, 1947, at 2 p.m.

POWERS, Chairman

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 124

Senator Powers moved that Assembly Bill No. 124 be withdrawn from Committee on Institutions, and re-referred to Committee on Social Welfare.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1325

Senator Desmond moved that Senate Bill No. 1325 be withdrawn from Committee on Transportation, and re-referred to Committee on Judiciary.

Motion carried.

ADJOURNMENT

At 4.15 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Thursday, April 17, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FORTY-SIXTH LEGISLATIVE DAY

ONE HUNDRED SECOND CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, April 17, 1947

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Busch, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Hulse, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Alex Meyer and Mr. and Mrs. M. Yeargin of Holtville.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Le Roy McCormick of Visalia.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. John Draper, Miss Anna Kirchgater, Mrs. Leora Keema, Mrs. Marion Carlisle, and Mr. Raymond Case, teachers, and the following students of the Elk

Grove Union Elementary School: Lou Akins, Dolores Norene Badella, Mary Ann Bunney, Barbara Daley, Alice Jean Dials, Frances Edralin, Darlene Dean Eisenbeisz, James Everson, Phillip Kenneth Frame, Bobby Lynn Frost, James R. Guttridge, Elvira Elizabeth Hartman, Mary Louise Hoeppner, Eda Bernice Houston, Bille Lee Howell, John Richard Law, Lewis M. Lindsay, Elsie Jane Malka, Paul Michael McDermott, Edward Franklyn McGee, Daryl Dean Miller, Earl Peyton, Albert Robison, Fred Tsuda, Homer Tsuda, Alice Jean Villasor, Alice Westling, Betty White, Walter Alberg, Shirley Berry, Suzi Camalig, Rose Duval, Leroy Falloon, Henry Frost, Janet Guttridge, Della Hironymous, Janet Hooper, Betty Jauch, Charles Jeselink, Arlene Jones, Lillian Kammerer, Kathleen Keith, Dolores Larimore, Lois McKeehan, Arlene Monk, Alfred Olvera, Tommy Okamoto, John Robinson, Herbert Smith, David Steele, Lily Taniguchi, Loreen Varozza, Jerry Ward, Frank Yamanaka, Joanne Zehnder, Gregory Batey, Roberta Blodgett, Nathan Coone, Bob Coons, Gerald Derr, Rodney Devine, Donald Fouts, Virginia Gerringer, David Gibson, Barbara Haskins, Frank Hayashida, Glen High, Arnie Hottman, Darlene Idzinga, Lawrance Jorgenson, James Lindsay, Orvis Littke, Colleen Machado, Kathleen Machado, Marcia Miller, Bob Souza, Howard Todd, Jim Vanderveen, Norma Vann, Evelyn Villasor, Norman Womack, and James Yoshihara.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Beatrice Fannemel of Los Angeles.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Katherine Mussato and Etta Ray of Sacramento, Mrs. Josephine Darling and Mr. Robert W. Lefener of Ventura.

On request of Senator Watson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Midshipman J. Allan Beek of the California Maritime Academy, and a resident of Balboa.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rev. T. Markham, and the following students of his Sociology Class of the Mercy College of Nursing, Sacramento: Mary Aleorta, Mary Stephani, Emma Ianni, Julmae Laubinger, Irma Schmidt, Evelyn Curnow, Mary De Rushia, Sophie Angelakis, Helen Stevenson, Josephine Zanetta, Viola Zanze, Jean Robinson, Thelma Carlson, Lena Visintainer, and Mrs. Pansy Carrick.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Dorothy Pugh, teacher, and the following students from Winters: Leo Blaylock, Kay McClusky, Teddy Watson, Larry Vivier, Junior Alexander, Bertie Birdwell, Joan Alexander, Nona Mattox, Patricia Baker, Colleen Clayton, Jimmie Lamb, Bobbie Islip, and John Brinck.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to June Van de Venter, Avanne Ravecker, and Lee Petersen, students of the University of California, and Mrs. W. B. Petersen of San Leandro.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 310

Senate Bill No. 709

Senate Bill No. 510

Senate Bill No. 737

Senate Bill No. 549

Senate Bill No. 739

Senate Bill No. 553

Senate Bill No. 745

Senate Bill No. 705

Senate Bill No. 1553

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 85

Senate Bill No. 785

Senate Bill No. 181

Senate Bill No. 83

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 244

Senate Bill No. 793

Senate Bill No. 547

Senate Bill No. 1165

Senate Bill No. 548

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 194

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 1474

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

WARD, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Assembly Joint Resolution No. 31

Assembly Joint Resolution No. 32

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 9.

WARD, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which were referred:

Assembly Bill No. 901

Assembly Bill No. 902

Assembly Bill No. 1398

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

WARD, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT

Senator Carter asked for, and was granted, unanimous consent to have the following proposed amendments to Senate Bill No. 1493 printed in the Journal:

PROPOSED AMENDMENTS TO SENATE BILL NO. 1493

Amendments Offered by Senator Carter

Amendment No. 1

On page 1, line 5, of the printed bill, insert

"1115. A jurisdictional strike for the purposes of this chapter is defined as a dispute between two bona fide labor organizations as to which has jurisdiction over the work being or to be performed."

Amendment No. 2

On page 1 of the printed bill, strike out lines 6 to 19, inclusive, and insert

"1116. Any attempt by a labor organization not a party to a collective bargaining agreement with an employer to cause or to compel a violation of a bona fide collective bargaining agreement with such employer where a jurisdictional strike exists or in the absence of a bona fide collective bargaining agreement to cause or compel any employer against his will to recognize or to bargain with a labor organization as a collective bargaining representative of his employees where a jurisdictional strike exists and where such labor organization has not been designated in accordance with procedures which exist by law for determination of such representation, is unlawful.

1117. Nothing herein contained is intended to, nor shall it be construed to, limit or in any way interfere with the declared public policy of this state enunciated in Section 923 of this code, and nothing herein contained is intended to, nor shall be construed to, limit the right of any person voluntarily to become or to remain a member of any bona fide labor organization or to urge, seek, or solicit any other person to join a bona fide labor organization".

Amendment No. 3

On page 1, line 20, of the printed bill, strike out "1116", and insert "1118".

Amendment No. 4

On page 1, line 25, of the printed bill, strike out "1117", and insert "1119".

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Dilworth moved that Senate Bill No. 315 be taken from the inactive file, and placed on the second reading file.

Motion carried.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 178—An act to amend Sections 80 and 92 of the Agricultural Code, relating to agricultural districts and district agricultural fairs.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1204—An act to add Section 92.6 to the Agricultural Code, relating to fairs conducted by counties and district agricultural associations.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 939—An act to add Section 19626.5 to the Business and Professions Code, relating to agricultural buildings for county and district agricultural association fairs and the use of such buildings.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 131—An act to amend Sections 272, 274, 275, 281, 283, 284, and 285.3, to add Sections 272.5 and 281.6 to, and to repeal Section 281.5 of the Agricultural Code, relating to bee diseases and apiary equipment brands.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 680—An act to amend Section 813 of the Agricultural Code, relating to cauliflower.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "shall not be excessively discolored, spreading, ricey or fuzzy and".

Amendment No. 2

On page 1 of said bill, strike out all of lines 23 to 28, inclusive; and on page 2, strike out lines 1 to 9, inclusive.

Amendment No. 3

On page 2, line 10, of said bill, strike out "(f)", and insert "(b)".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 681—An act to amend Section 813.5 of the Agricultural Code, relating to celery.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out lines 17 and 18, and insert "affecting more than two-thirds of the distance between the base of the branch and the point where the leaf-branches are attached."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 682—An act to add Section 814.5 to the Agricultural Code, relating to Italian sprouting broccoli.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 8, inclusive, and insert "A stalk of Italian sprouting broccoli shall be considered as being damaged due to overmaturity when more than three of the flower buds are opened to the extent that the normal flower color is".

Amendment No. 2

On page 1, line 11, of said bill, strike out " or if stalks are bunched of the individual bunches,".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 683—An act to amend Sections 812, 812.2, 812.3, 812.4, 812.5, and 812.6 of the Agricultural Code, relating to carrots.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 8, of the printed bill, after "dirt", insert a comma.

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1240—An act to amend Section 814 of the Agricultural Code, relating to head lettuce.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 814 of", and insert "add Section 829.7 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "head lettuce", and insert "consumer packages for vegetables and other products".

Amendment No. 3

On page 1, line 1, of said bill, strike out "814 of the Agricultural Code is", and insert "829.7 is added to the Agricultural Code, to read:".

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 28, inclusive; and on page 2, strike out lines 1 to 21, inclusive, and insert

"829.7. Nothing in this chapter prohibits the preparation, packing, shipment or sale of vegetables, cantaloupes, melons, or tomatoes in any "consumer package" or container not conforming to requirements of this chapter as to containers, markings or packing requirements provided in the specific commodity section for each such commodity, if each container (1) is clearly and conspicuously marked with the words "consumer package" or some similar designation, approved by the director, in letters at least one-half inch in height; and (2) is not of a size within 15 percent of the cubical contents of any standard container defined in this chapter for such commodity.

Nothing in this section shall be construed to modify any of the provisions of this chapter relating to deception or mislabeling."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 909—An act making an appropriation to the University of California for the construction and equipment of a viticultural building.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 6, of the printed bill, between "for", and "research", insert "instruction and".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "wine", and insert "grapes, raisins and wine".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 691—An act to amend Section 545 of the Agricultural Code, relating to cheese.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 1, 1947, following line 20, strike out the period, and insert "; except Monterey cheese for drying purposes which may contain less than 50 percent milk fat in its water-free substance, but in no event shall said dry cheese contain less than 46 percent of milk fat in its water-free substance."

Amendment No. 2

On page 2 of the printed bill, strike out lines 17 to 23, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 743—An act to add Section 1066.6 to the Agricultural Code, relating to sodium fluoroacetate.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on March 18, 1947, strike out line 5, and insert "except that, subject to rules and regulations of the director:".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 15 to 21, inclusive, and insert "their business."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 905—An act to add Sections 196 and 197 to the Agricultural Code, relating to the control and eradication of the cattle pest known as heel fly or ox warbles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Sections 196 and 197 to", and insert "amend Sections 186, 187, 191, and 192 of".

Amendment No. 2

In line 3 of the title of said bill, strike out "heel fly or ox warbles", and insert "scabies".

Amendment No. 3

On page 1, line 1, of said bill, strike out "196 is added to the Agricultural", and insert "186 of the Agricultural Code is amended to read:".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out all of lines 2 to 23, inclusive, and insert

"186. It is unlawful to knowingly sell any sheep *or* cattle infected with the disease known as scabies, or to expose the same in such a manner as may infect other sheep *or* cattle not so infected.

SEC. 2. Section 187 of the Agricultural Code is amended to read:

187. Whenever upon examination of any cattle *or* sheep located in any county the director finds cattle infected with the *Boophilus annulatus* tick, *or* sheep *or* cattle infected *or* exposed to scabies he shall forthwith notify in writing the owner *or* person in control of said cattle *or* sheep to dip *or* otherwise treat said cattle *or* sheep as directed for the purpose of eradicating such tick *or* scabies. Such owner *or* person in control of such cattle *or* sheep shall comply with the notice within 10 days.

SEC. 3. Section 191 of the Agricultural Code is amended to read:

191. Whenever the director has reason to believe that the disease known as scabies exists in a flock of sheep [.] *or* in a herd of cattle, he shall notify the owner *or* person in control of such sheep *or* cattle to gather all of said sheep *or* cattle in a corral in order that such sheep *or* cattle may be examined to ascertain if any are so infected. If such owner *or* person in control of said sheep *or* cattle refuses *or* neglects to gather all of said sheep *or* cattle in a corral for the purposes aforesaid, the director shall gather said sheep *or* cattle in a corral for the purposes aforesaid; and for this purpose may hire such necessary help as may be required.

SEC. 4. Section 192 of the Agricultural Code is amended to read:

192. All expenses and costs of dipping *or* treating cattle *or* sheep and all expenses and costs of gathering sheep *or* cattle incurred by the department shall become and remain a lien on said cattle *or* sheep until such lien is paid *or* foreclosed by law."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 1366—An act to amend Section 811 of the Agricultural Code, relating to cantaloupes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 13, of the printed bill, strike out "fresh", and insert "the flesh".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 1108—An act to amend Section 737.6-2 of the Agricultural Code, relating to fluid milk testing.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1282—An act authorizing the transfer of buildings of the Department of Professional and Vocational Standards to the Department of Finance and relating to the supervision and operation of state buildings, making an appropriation, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on April 8, 1947, strike out "and".

Amendment No. 2

In line 7 of the title of said bill, following the comma, insert "and".

Amendment No. 3

Strike out lines 8 and 9 of the title of said bill, and insert "pritation."

Amendment No. 4

On page 1, line 7, of said bill, strike out ". The", and insert "the".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 538—An act to amend Section 11117 of the Insurance Code, relating to life or disability insurance contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "group and".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "policies", and insert "certificates".

Amendment No. 3

On page 1, line 8, of the printed bill, strike out "three hundred dollars (\$300)", and insert "five hundred dollars (\$500)".

Amendment No. 4

On page 1, line 11, of the printed bill, strike out "4", and insert "3".

Amendment No. 5

On page 1, line 12, of the printed bill, strike out "adopted by it".

Amendment No. 6

On page 1 of the printed bill, strike out line 13.

Amendment No. 7

On page 1, line 14, of the printed bill, strike out "or, at the option of the society, the".

Amendment No. 8

On page 1 of the printed bill, after line 16, insert "For the purpose of this section a family group certificate is that form of fraternal life insurance contract issued to the head of a family insuring one or more persons dependent, in whole or in part, upon him and may include insurance on his own life or on the life of his spouse whether or not

dependent upon him. Nothing contained in this section shall be construed to affect the requirements of Article 8 of this chapter."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

Senate Bill No. 1184—An act to amend Section 11110 of the Insurance Code, relating to fraternal benefit societies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 1, line 3, of the printed bill, after "person", insert "not less than 16".

Amendment No. 2

On page 1, line 4, of the printed bill, before "may", insert "years of age".

Amendment No. 3

On page 1, line 7, of the printed bill, after the period, insert "With respect to persons admitted to beneficial membership who are more than 60 years of age, provision shall be made for the accumulation and maintenance of assets required for the payment of benefits. For this purpose such benefits shall be valued upon an interest basis not exceeding 3 percent per annum and with mortality standards within the limitations of this code relating to life or life and disability insurers issuing nonassessable policies on the reserve basis."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

Senate Bill No. 751—An act to amend Section 6451 of the Revenue and Taxation Code, relating to returns and payments of sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 6451", and insert "Sections 6451, 6452, 6482, 6487, 6513, 6701, 6902, and 6907".

Amendment No. 2

In line 3 of the title of the printed bill, strike out the period, and insert "and security for payment of sales and use taxes, and to provide that this act shall take effect immediately."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, after line 5, insert

"Sec. 2. Section 6452 of the said code is amended to read:

6452. On or before the [fifteenth] last day of the month following each quarterly period of three months, a return for the preceding quarterly period shall be filed with the board in such form as the board may prescribe.

For purposes of the sales tax a return shall be filed by every seller. For purposes of the use tax a return shall be filed by every retailer maintaining a place of business in the State and by every person purchasing tangible personal property, the storage,

use, or other consumption of which is subject to the use tax, who has not paid the use tax due to a retailer required to collect the tax. Returns shall be signed by the person required to file the return or by his duly authorized agent but need not be verified by oath.

SEC. 3. Section 6482 of the said code is amended to read:

6482. The amount of the determination, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the [fifteenth day after the close of] *last day of the month following* the quarterly period for which the amount or any portion thereof should have been returned until the date of payment.

SEC. 4. Section 6487 of the said code is amended to read:

6487. Except in the case of fraud, intent to evade this part or authorized rules and regulations, failure to make a return, or claim for additional amount pursuant to Section 6563, every notice of a deficiency determination shall be mailed within three years after the [fifteenth] *last day of the calendar month following* the quarterly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires the later.

The limitation specified in this section does not apply in case of a sales tax proposed to be determined with respect to sales of property for the storage, use, or other consumption of which notice of a deficiency determination has been or is given pursuant to Sections 6486, 6515, and 6537 and to the first paragraph of this section. The limitation specified in this section does not apply in case of an amount of use tax proposed to be determined with respect to storage, use, or other consumption of property for the sale of which notice of a deficiency determination has been or is given pursuant to Sections 6486, 6515, and 6537 and to the first paragraph of this section.

SEC. 5. Section 6513 of the said code is amended to read:

6513. The amount of the determination, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the [fifteenth day after the close of] *last day of the month following* the quarterly period for which the amount or any portion thereof should have been returned until the date of payment.

SEC. 6. Section 6701 of the said code is amended to read:

6701. The board, whenever it deems it necessary to insure compliance with this part, may require any person subject thereto to deposit with it such security as the board may determine. The amount of the security shall be fixed by the board but shall not be greater than twice the [person's] estimated average liability [for the period for which he files returns] *of persons filing returns for quarterly periods or three times the estimated average liability of persons required to file returns for monthly periods*, determined in such manner as the board deems proper, or ten thousand dollars (\$10,000), whichever amount is the lesser. The amount of the security may be increased or decreased by the board subject to the limitations herein provided. The board may sell the security at public auction if it becomes necessary so to do in order to recover any tax or any amount required to be collected, interest, or penalty due. Notice of the sale may be served upon the person who deposited the security personally or by mail; if by mail, service shall be made in the manner prescribed for service of a notice of a deficiency determination and shall be addressed to the person at his address as it appears in the records of the board. Security in the form of a bearer bond issued by the United States or the State of California which has a prevailing market price may, however, be sold by the board at private sale at a price not lower than the prevailing market price thereof. Upon any sale any surplus above the amounts due shall be returned to the person who deposited the security.

SEC. 7. Section 6902 of the said code is amended to read:

6902. No refund shall be allowed unless a claim therefor is filed with the board within three years from the [fifteenth day after] *last day of the month following* the close of the quarterly period for which the overpayment was made, or, with respect to determinations made under Articles 2 or 3 of Chapter 5 of this part, within six months after the determinations become final, or within six months from the date of overpayment, whichever period expires the later. No credit shall be allowed after the expiration of the period specified for filing claims for refund unless a claim for credit is filed with the board within such period, or unless the credit relates to a period for which a waiver is given pursuant to Section 6488.

SEC. 8. Section 6907 of the said code is amended to read:

6907. Interest shall be paid upon any overpayment of any amount of tax at the rate of one-half of 1 percent per month from the [fifteenth] *last day of the calendar month following* the quarterly period for which the overpayment was made; but no refund or credit shall be made of any interest imposed upon the claimant with respect to the amount being refunded or credited.

The interest shall be paid:

(a) In the case of a refund, to the fifteenth day of the calendar month following the date upon which the claimant, if he has not already filed a claim, is notified by the board that a claim may be filed or the date upon which the claim is certified to the State Board of Control, whichever date is the earlier.

(b) In the case of a credit, to the same date as that to which interest is computed on the tax or amount against which the credit is applied.

SEC. 9. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State shall, under the provisions of Section 1, Article IV of the Constitution, take effect immediately; provided, however, that the provisions hereof shall become operative on July 1, 1947."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1456—An act to add Section 254.2 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 13—An act to amend Section 10452 of the Revenue and Taxation Code, relating to the Motor Vehicle Transportation License Tax; and making an appropriation.

Bill read second time.

Motion to Amend

Senator McCormack moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert "and to add Section 10456 to,".

Amendment No. 2

In line 3 of the title of said bill, after "appropriation", insert "for public streets and highways".

Amendment No. 3

On page 1 of said bill, between lines 7 and 8, insert "Sec. 2. Section 10456 is added to the Revenue and Taxation Code, to read: 10456. The Controller shall make the transfers to the State Highway Fund at the same time as transfers to said fund of moneys received under the Motor Vehicle Fuel License Tax Law are made."

Amendment No. 4

On page 1, line 8, of said bill, strike out "2", and insert "3".

Amendment No. 5

On page 1, line 12 of said bill, strike out "for the fiscal year beginning July 1, 1946,"; and strike out lines 13 to 15, inclusive, and insert "commencing with the fiscal year beginning July 1, 1946."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 150—An act to amend Sections 2801, 2802, 2803, 2804, 2805, 2807.3, and 2808 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "2803, 2804, 2805, 2807.3, and 2808", and insert "2805, and 2807.3".

Amendment No. 2

On page 1, line 11, of said bill, strike out "separate tax statements", and insert "each separate tax statement".

Amendment No. 3

On page 1, line 14, of said bill, after "convenient", insert "and if entry opposite the assessment is made on the roll showing where the same may be found".

Amendment No. 4

On page 1 of said bill, strike out lines 22 to 25, inclusive; and on page 2, strike out lines 1 to 9, inclusive.

Amendment No. 5

On page 2, line 10, of said bill, strike out "5", and insert "3".

Amendment No. 6

On page 2, line 18, of said bill, strike out "6", and insert "4".

Amendment No. 7

On page 2 of said bill, strike out lines 25 to 29, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

Senate Bill No. 151—An act to amend Sections 3490, 3492, 3493, 3494, 3495, and 3511.4 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, lines 27 and 28, of the printed bill, strike out "Fifty-seventh", and insert "1947".

Amendment No. 2

On page 2, lines 32 and 33, of said bill, strike out "Fifty-eighth Regular General", and insert "1949 Regular".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

Senate Bill No. 609—An act to add Section 20570 to the Water Code, relating to irrigation districts.

Bill read second time.

Motion to Amend

Senator Powers moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20570", and insert "108".

Amendment No. 2

In line 2 of the title of said bill, after "irrigation", insert "and water".

Amendment No. 3

On page 1, line 1, of said bill, strike out "20570", and insert "108".

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 8, inclusive, and insert "108. All property belonging to an irrigation district or to a district formed under the California Water District Act is held for the carrying out of state purposes. In order to effectuate such purposes all property belonging to such districts is exempt from all property taxation."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 893—An act to repeal Chapter 1a, comprising Sections 160.1 to 160.7, inclusive, of Division 2 of the Agricultural Code, relating to the registration of fruit trees.

Bill ordered printed, and to third reading.

Assembly Bill No. 2570—An act to amend Section 8 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, making an appropriation therefor and relating to the period of availability of moneys thereby or heretofore appropriated therefor, declaring the urgency thereof and declaring that this act shall take effect immediately.

Bill ordered printed, and to third reading.

Assembly Bill No. 2597—An act making an appropriation for Emergency Fund in augmentation of the appropriation in Item 275 of the Budget Act of 1945, to take effect immediately.

Bill ordered printed, and to third reading.

Assembly Bill No. 1003—An act to amend Section 10270.7 of the Insurance Code, relating to insurance.

Bill ordered printed, and to third reading.

Assembly Bill No. 1005—An act to amend Section 10203.5 of the Insurance Code, relating to insurance.

Bill ordered printed, and to third reading.

Assembly Bill No. 1988—An act to amend Section 10971 of the Insurance Code, relating to fraternal benefit insurance.

Bill ordered printed, and to third reading.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 787

Senator Salsman moved that Senate Bill No. 787 be withdrawn from Committee on Financial Institutions, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 787—An act to define escrow companies, to provide for their licensing, examination and regulation by the Commissioner of Corporations, to provide exemptions from and prescribe penalties for violations of this act.

Bill read third time.

Motion to Amend

Senator Salsman moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 14, of the printed bill, strike out "a fee", and insert "an annual license fee terminating on the last day of the current calendar year; provided, that if

the application is filed after June 30th in any year the fee shall be the sum of twenty-five dollars (\$25)."

Amendment No. 2

On page 2 of the printed bill, strike out line 15.

Amendment No. 3

On page 2 of the printed bill, after line 29, insert

"An issued license shall remain in effect until it is surrendered, revoked or suspended. It shall expire at noon on the thirty-first day of December of any calendar year if, on or before the twentieth day of December of such year, the licensee fails to file an application to renew it and pay the annual license fee for the next succeeding calendar year."

Amendment No. 4

On page 2, line 34, of the printed bill, strike out "two", and insert "one".

Amendment No. 5

On page 2, line 38, of the printed bill, strike out "obligor", and insert "obligor".

Amendment No. 6

On page 2, line 42, of the printed bill, after "hereunder," insert "and will honestly and faithfully apply all funds received and will honestly and faithfully perform all obligations and undertakings hereunder,".

Amendment No. 7

On page 2 of the printed bill, after line 46, insert

"SEC. 7.5. A licensee shall keep and use in his business such books, accounts and records as will enable the commissioner to determine whether such licensee is complying with the provisions of this act and with the rules and regulations lawfully made by the commissioner hereunder. Each licensee shall annually on or before the fifteenth day of March file a report with the commissioner giving such relevant information as the commissioner reasonably may require concerning the business and operations during the preceding calendar year of each licensed place of business conducted by such licensee within the State. Such report shall be made under oath and shall be in the form prescribed by the commissioner."

Amendment No. 8

On page 3, line 5, of the printed bill, strike out "shall, upon", and insert "may, after".

Amendment No. 9

On page 3, line 6, of the printed bill, after "heard," insert "suspend or".

Amendment No. 10

On page 3, line 17, of the printed bill, after "section", insert "or Section 6 of this act".

Amendment No. 11

On page 3 of the printed bill, after line 23, insert

"SEC. 11.1. Any and all moneys deposited in escrow to be delivered upon the close of the escrow or upon any other contingency, shall be deposited in a bank and kept separate, distinct and apart from funds belonging to the escrow company. Such funds, when deposited, are to be designated as "trust funds", "escrow accounts", or under some other appropriate name indicating that the funds are not funds of the escrow company. Escrow or trust funds shall not be subject to execution or attachment on any claim against the escrow company."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

MOTION TO RE-REFER SENATE BILL NO. 939

Senator Crittenden moved that Senate Bill No. 939 be re-referred to Committee on Agriculture.

Motion carried.

COMMUNICATIONS

The following communication was received, read, and ordered printed in the Journal:

The secretary submitted the following communication delivered to him by Senor Manuel E. Garzon, Vice Consul of Mexico.

MEXICO, D. F., a 1° DE ABRIL DE 1947

Senor J. A. Beck

*Secretario del Senado del
Estado de California, Sacramento*

SEÑOR SECRETARIO: By the direction of the President of the Republic I have the honor to acknowledge receipt of your very considerate telegram of the twenty-fifth of March, by which you transmitted the resolution adopted by the honorable Senate of the State of California, concurrently with a message from His Excellency, Earl Warren, Governor of California, inviting the President to visit you at the time of his visit to the United States of America.

The President of the Republic instructs me to request you to communicate to the Senate of California his most cordial gratitude for its demonstration of the good will existing between the people of Mexico and the inhabitants of the State of California, and to inform you that due to the brevity of his visit and his multitudinous duties in Mexico, it will not be possible for him to visit California on this occasion. Please be assured of my most distinguished consideration.

JAIME FORRES BODET
Secretary of Foreign Relations
Republic of Mexico

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Jespersen:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act conveying certain tidelands and submerged lands to the County of San Luis Obispo, in furtherance of navigation and fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Respectfully submitted.

SENATOR JESPERSEN

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 17, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested, and that the bill be referred to Committee on Natural Resources.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.
NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced, and read the first time:

Senate Bill No. 1553: By Senator Jespersen—An act conveying certain tidelands and submerged lands to the County of San Luis Obispo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Natural Resources.

REPORTS OF STANDING COMMITTEES

Committee on Education

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 784

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

SLATER, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, April 14, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Assembly Bill No. 230

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 7; absent 5.

KEATING, Chairman

Above reported bill ordered to second reading.

Committee on Labor

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Labor, to which were referred:

Senate Bill No. 1492

Senate Bill No. 1493

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee:

Committee membership 7; committee vote: Ayes 7.

JUDAH, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 83—An act to amend Section 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 85—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and

compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 656—An act to amend Section 126 of the Government Code, relating to the acquisition of land in this State by the United States.

Motion to Refer Bill to Inactive File

Senator Mayo moved that Senate Bill No. 656 be placed on the inactive file.

Motion carried.

Senate Bill No. 749—An act to amend Section 1121 of the Elections Code, relating to recall elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 181—An act to amend Section 215 of the Revenue and Taxation Code, relating to veterans organizations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1061—An act to add Section 2142.10 to the Business and Professions Code, relating to the use of the word "physician."

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 248—An act to amend Section 2246 of the Business and Professions Code, relating to instruction in chiroprody.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 737—An act to amend Section 600 and to add Section 600.5 to the Penal Code, relating to burning structures or other things not subject to arson, and providing a penalty.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 739—An act to amend Sections 4002, 4003, and 4008 of the Public Resources Code, relating to prevention and control of forest fires.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 745—An act to amend Sections 4151, 4165, and 4167 of the Public Resources Code, relating to forestry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 2.49 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 549—An act to amend Section 19511 of the Business and Professions Code, relating to licenses issued by the California Horse Racing Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 553—An act to amend Section 19432 of the Business and Professions Code, relating to Reports of the California Horse Racing Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1533—An act to amend Section 337f of the Penal Code of the State of California, relating to the use of narcotic or electrical devices on race horses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 244—An act to amend Section 673 of the Vehicle Code, relating to mufflers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 210—An act to amend Section 4919 of the Education Code, relating to elections for the reorganization of school districts.

Bill read third time.

Motion to Continue Further Consideration

Senator Jespersen moved that further consideration of Senate Bill No. 210 be continued until action is taken on Senate Bill No. 208.

Motion lost.

Motion to Reconsider

Senator Jespersen moved to reconsider the vote whereby his motion to continue further consideration of Senate Bill No. 210 was lost.

Roll Call Demanded

Senators Jespersen, Donnelly, and Crittenden demanded a roll call. The roll was called, and the motion lost by the following vote:

AYES—Senators Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Donnelly, Hatfield, Hulse, Jespersen, Mayo, McCormack, O'Gara, Powers, Quinn, and Slater—17.

NOES—Senators Breed, Burns, Cunningham, Dilworth, Gordon, Judah, Keating, Kraft, McBride, Parkman, Rich, Salsman, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—19.

Further Consideration of Senate Bill No. 210

Senate Bill No. 210—An act to amend Section 4919 of the Education Code, relating to elections for the reorganization of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Hatfield, Hulse, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—26.

NOES—Senators Crittenden, Desmond, Donnelly, Gordon, Jespersen, Mayo, Quinn, Sutton, and Tenney—9.

Motion to Reconsider

Senator Jespersen moved to reconsider the vote whereby Senate Bill No. 210 was passed.

Postponement of Reconsideration

On motion of Senator Jespersen, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 210 was passed, was continued until the next legislative day.

Senate Bill No. 310—An act to renumber Section 1557.1 of the Probate Code to be Section 1557.2, and to amend said section, and to add Section 1557.1 to said code, relating to investments by guardians and declaring the urgency thereof to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—31.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senator Williams Presiding

At 4 p.m., Senator J. Howard Williams of the Thirty-second District, presiding.

Senate Bill No. 1165—An act to amend Section 1331 of the Streets and Highways Code, relating to the county road commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 785—An act to add Chapter 4 to Division 10 of the Streets and Highways Code, relating to inter-city agreements limiting the power of vacation of public streets and highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1173

Senator Ward moved that Senate Bill No. 1173 be withdrawn from Committee on Revenue and Taxation, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1173—An act to amend Section 6359.5 of the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom, to take effect immediately.

Bill read second time.

Motion to Amend

Senator Ward moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 6359.5 of", and insert "add Section 6359.5a to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert
"SECTION 1. Section 6359.5a is added to the Revenue and Taxation Code, to read:

6359.5a. As incidental to the exemption provided in Section 6359.5, there are exempted from the taxes imposed by this part, the gross receipts from the sale of, and the storage, use, or other consumption in this State of, ice used or employed in packing and shipping or transporting food products for human consumption, where the shipment or transportation is made in intrastate commerce, from a shipping point in one county, city, town or village in this State, to a point of destination in another county, city, town or village in this State."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 594—An act to amend Section 18102 of the Government Code, relating to use of accumulated vacation by state employees.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Hulse, Jespersen, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 597—An act to amend Section 19501 of the Government Code, relating to disciplinary proceedings in the state civil service.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 598—An act to amend Section 19538 of the Government Code, relating to payment of salary upon recertification to a position in the state civil service.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 599—An act to amend Section 19141 of the Government Code, relating to reinstatement of employees in the state civil service.

Bill read third time, and presented by Senator Desmond.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 93—An act to amend Sections 2024 and 2186 of the Welfare and Institutions Code, relating to aid to the aged, and

providing for payments and repayments thereof, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Judah.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 35

Assembly Concurrent Resolution No. 65

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Concurrent Resolution No. 35—Relative to the designation of Arbor Day.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 65—Relative to the scope, purpose, and meaning of Chapters 46 and 47 of the Statutes of the Regular Session of 1947, relating to Indian Affairs.

Referred to Committee on Rules.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 214

Senator Donnelly moved that Senate Bill No. 214 be withdrawn from Committee on Water Resources, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 214—An act to amend Sections 23600, 23603, 23626, 23669, 23673, 23875, 23981, 24528, and 24529 of, and to add Sections 23674, 23878, and 23879, to the Water Code, relating to improvement districts in irrigation districts.

Bill read second time.

Motion to Amend

Senator Donnelly moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "23669."

Amendment No. 2

In line 4 of the title of said bill, after the second "districts", insert " , declaring the urgency hereof, to take effect immediately".

Amendment No. 3

On page 1, line 3, of said bill, after "Land", insert "which need not be contiguous".

Amendment No. 4

On page 1, line 7, of said bill, after "Drainage", insert "or flood control".

Amendment No. 5

On page 2 of said bill, strike out lines 22 to 29, inclusive.

Amendment No. 6

On page 2, line 30, of said bill, strike out "5", and insert "4".

Amendment No. 7

On page 2, line 38, of said bill, strike out "6", and insert "5".

Amendment No. 8

On page 2, line 44, of said bill, strike out "7", and insert "6".

Amendment No. 9

On page 2, line 49, of said bill, strike out "8", and insert "7".

Amendment No. 10

On page 3, line 6, of said bill, strike out "9", and insert "8".

Amendment No. 11

On page 3, line 21, of said bill, strike out "10", and insert "9".

Amendment No. 12

On page 3, line 30, of said bill, strike out "11", and insert "10".

Amendment No. 13

On page 3, line 33, of said bill, strike out "12", and insert "11".

Amendment No. 14

On page 3 of said bill, after line 37, insert

"SEC. 13. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The possibility of flash floods as well as drought conditions in the various parts of the State require a liberalization of the purposes for which improvement districts in irrigation districts may be formed, in order that lives and property may be protected and the food production so urgently needed may be obtained."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 1327

Senator Ward moved that Assembly Bill No. 1327 be withdrawn from Committee on Governmental Efficiency, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 1327—An act amending Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Bill read second time.

Motion to Amend

Senator Ward moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 4, of the printed bill, after "Section," insert "under a determination transmitted to him by the department".

Amendment No. 2

On page 2, line 8, of the printed bill, strike out "A disqualified individual", and insert "An individual so disqualified".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 955

Senator Donnelly moved that Senate Bill No. 955 be withdrawn from Committee on Judiciary, and re-referred to Committee on Business and Professions.

Motion carried.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 285

Senator Hatfield moved that Senate Bill No. 285 be withdrawn from Committee on Finance, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 285—An act making an appropriation for research on problems relating to the production, processing, and distribution of agricultural products.

Bill read second time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "appropriation", insert "to the Regents of the University of California".

Amendment No. 2

On page 1, line 3, of the printed bill, following "appropriated", insert "to the Regents of the University of California".

Amendment No. 3

On page 1, line 6, of the printed bill, after "products", insert "and for the dissemination of such research information to persons within the State affected by or interested therein".

Amendment No. 4

On page 1, line 19, of the printed bill, strike out all following the period after "3", and strike out lines 20 to 25, inclusive, and insert "The Agricultural Research Study Committee shall submit to the Regents of the University of California not later than October 1, 1947, recommendations as to the use of funds authorized hereunder to be expended during the One Hundredth Fiscal Year, and not later than October 1, 1948, as to the use of funds authorized hereunder to be expended during the One Hundred and First Fiscal Year. The Regents of the University of California, after due consideration of such recommendations as the Agricultural Research Study Committee may submit, shall expend money made available by this appropriation for specific projects in accordance with the provisions of this act."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1285

Senator McCormack moved that Senate Bill No. 1285 be withdrawn from Committee on Transportation, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1285—An act to amend Sections 369, 465, and 467 of the Streets and Highways Code, relating to state highway routes.

Bill read second time.

Motion to Amend

Senator McCormack moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out line 7, and insert "Albany to a point in Western Drive approximately 1,900 feet northwesterly of Scofield Avenue, Richmond."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 110
Assembly Bill No. 666
Assembly Bill No. 667

Assembly Bill No. 668
Assembly Bill No. 670

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 110—An act to amend Section 5065 of the Streets and Highways Code, relating to posting of notices in proceedings under the Improvement Act of 1911.

Referred to Committee on Judiciary.

Assembly Bill No. 666—An act to add Section 26806 to the Government Code, relating to the employment of interpreters by county clerks and defining the powers and duties of such interpreters.

Referred to Committee on Judiciary.

Assembly Bill No. 667—An act amending Section 583 of the Code of Civil Procedure, relating to the filing of stipulations extending the time for the dismissal of actions.

Referred to Committee on Judiciary.

Assembly Bill No. 668—An act amending Section 1952 of the Code of Civil Procedure, relating to the destruction or other disposition of depositions.

Referred to Committee on Judiciary.

Assembly Bill No. 670—An act to amend Section 981a of the Code of Civil Procedure, respecting dismissal of appeals from justice court.

Referred to Committee on Judiciary.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 139	Assembly Bill No. 1100
Assembly Bill No. 186	Assembly Bill No. 1113
Assembly Bill No. 229	Assembly Bill No. 1133
Assembly Bill No. 500	Assembly Bill No. 1259
Assembly Bill No. 638	Assembly Bill No. 1280
Assembly Bill No. 639	Assembly Bill No. 1418
Assembly Bill No. 695	Assembly Bill No. 1561
Assembly Bill No. 737	Assembly Bill No. 1786
Assembly Bill No. 891	Assembly Bill No. 2143
Assembly Bill No. 986	Assembly Bill No. 2292
Assembly Bill No. 1054	Assembly Bill No. 2436
Assembly Bill No. 1092	Assembly Bill No. 2505
Assembly Bill No. 1097	

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 139—An act to amend Section 4260 of the Political Code and Section 28131 of the Government Code, relative to compensation for public services in counties of the thirty-first class.

Referred to Committee on Local Government.

Assembly Bill No. 186—An act to amend Section 1068 of the Fish and Game Code, relating to fish reduction or extraction processes.

Referred to Committee on Fish and Game.

Assembly Bill No. 229—An act to amend Section 16482 of the Education Code, relating to physical examinations of pupils in the Public School System.

Referred to Committee on Education.

Assembly Bill No. 500—An act to amend Sections 1622, 1623, 1629, 1631, and 1635 of the Labor Code, relating to private employment agencies.

Referred to Committee on Labor.

Assembly Bill No. 638—An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego, to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 639—An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of Chula Vista, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 695—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of the Code of Civil Procedure, relating to fees for phonographic reporters.

Referred to Committee on Local Government.

Assembly Bill No. 737—An act to add Section 5019 to the Public Resources Code, relating to land deeded to the State for park and beach purposes.

Referred to Committee on Natural Resources.

Assembly Bill No. 891—An act to amend Sections 526 and 528 of the Business and Professions Code, relating to the State Medical Library.

Referred to Committee on Business and Professions.

Assembly Bill No. 986—An act to add Section 1.5 to an act entitled "An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land at Newport Beach, Orange County, as part of the State Park System," approved July 17, 1945, to extend the time during which the appropriation made thereby may be expended, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Natural Resources.

Assembly Bill No. 1054—An act to amend Section 4238 of the Political Code and Section 28109 of the Government Code, relating to compensation for public services in counties of the ninth class.

Referred to Committee on Local Government.

Assembly Bill No. 1092—An act to amend Sections 14602, 14610, and 14612 of the Education Code, relating to the State Teachers Retirement System.

Referred to Committee on Education.

Assembly Bill No. 1097—An act to amend Section 14128 of the Education Code, relating to school district merit systems.

Referred to Committee on Education.

Assembly Bill No. 1100—An act to add Section 1554 to the Education Code, relating to school district records.

Referred to Committee on Education.

Assembly Bill No. 1113—An act to add Section 2208.5 to the Education Code, relating to the powers and duties of the governing boards of city school districts.

Referred to Committee on Education.

Assembly Bill No. 1133—An act to add Section 119.5 to the Agricultural Code, relating to reporting new pests.

Referred to Committee on Agriculture.

Assembly Bill No. 1259—An act to amend Section 7370 of the Political Code, relating to salaries of judges.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1280—An act to add Section 7 to an act entitled "An act providing for the creation of revolving funds in the counties and townships of the State," approved May 9, 1923, and to add Section 29331 to the Government Code, relating to revolving funds of purchasing agents in certain counties.

Referred to Committee on Local Government.

Assembly Bill No. 1418—An act to amend Section 1126 of the Probate Code, relating to the administration of trusts.

Referred to Committee on Judiciary.

Assembly Bill No. 1561—An act to add Sections 954 and 951.5 to the Fish and Game Code, relating to trawl nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1786—An act to amend Section 18 of "An act to establish police courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to jurors' fees, mileage and expenses.

Referred to Committee on Local Government.

Assembly Bill No. 2143—An act to repeal Section 7 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and to amend Section 1c of the Annexation Act of 1913, relating to annexation.

Referred to Committee on Local Government.

Assembly Bill No. 2292—An act amending the title of, and adding Sections 4, 5, 6, 7, and 8 to an act entitled "An act relating to retirement systems covering county or township officers or employees or a portion of such employees," approved May 10, 1933, relating to all public retirement systems.

Referred to Committee on Local Government.

Assembly Bill No. 2436—An act to amend Section 6816 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 2505—An act to amend Section 13471 of the Government Code, relating to investments of funds by the Director of Finance.

Referred to Committee on Governmental Efficiency.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 19
Assembly Bill No. 683
Assembly Bill No. 817
Assembly Bill No. 928
Assembly Bill No. 954
Assembly Bill No. 955
Assembly Bill No. 956

Assembly Bill No. 957
Assembly Bill No. 958
Assembly Bill No. 959
Assembly Bill No. 1010
Assembly Bill No. 1017
Assembly Bill No. 1935

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 19—An act to amend Sections 827 and 1946 of the Civil Code, relating to landlord and tenant and hiring of real property, respectively.

Referred to Committee on Judiciary.

Assembly Bill No. 683—An act to amend Section 1157 of and add Section 1157.5 to the Government Code, relating to pay roll deductions.

Referred to Committee on Local Government.

Assembly Bill No. 817—An act to amend Section 103 of the Code of Civil Procedure, relating to justices' courts in townships and cities.

Referred to Committee on Judiciary.

Assembly Bill No. 928—An act to repeal Section 749.5 of the Code of Civil Procedure, relating to quieting of title to real property.

Referred to Committee on Judiciary.

Assembly Bill No. 954—An act authorizing the making of appropriations by city councils to pay for expenses of drafting new charters.

Referred to Committee on Local Government.

Assembly Bill No. 955—An act to amend Sections 90, 116, and 127 of the County Employees Retirement Act of 1937 and Sections 31620, 31621, 31676, and 31677 of the Government Code, relating to retirement.

Referred to Committee on Local Government.

Assembly Bill No. 956—An act to amend Sections 43.5 and 46 of the County Employees Retirement Act of 1937, and Sections 31560 and 31645 of the Government Code, relating to retirement.

Referred to Committee on Local Government.

Assembly Bill No. 957—An act to amend Sections 31, 44, 55.5, 57, 93, and 112 of, to add Sections 111.7 and 129 and Article 6.5 to, and to repeal Section 117 of, the County Employees Retirement Act of 1937, to amend Sections 31521, 31526, 31553, 31583, 31620, 31624, and 31672 of, to add Sections 31671.5, 31705 and Article 7.5 to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, and to repeal Section 31678 of the Government Code, relating to county retirement systems.

Referred to Committee on Local Government.

Assembly Bill No. 958—An act to amend Section 118 of the County Employees Retirement Act of 1937, relating to retirement allowances.

Referred to Committee on Local Government.

Assembly Bill No. 959—An act to add Section 4307.2 to the Political Code and Section 29618 to the Government Code, relating to county charges.

Referred to Committee on Local Government.

Assembly Bill No. 1010—An act to add Section 14772.1 to the Education Code, relating to joint school district retirement plans, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1017—An act to amend Section 15003 of the Government Code, relating to the Deputy Director of the Department of Justice.

Referred to Committee on Judiciary.

Assembly Bill No. 1935—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Senate Bill No. 1512

Senate Bill No. 254

Senate Bill No. 738

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

DeLAP, Chairman

Above reported bills ordered to second reading.

Committee on Labor

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Labor, to which were referred:

Assembly Bill No. 362

Assembly Bill No. 411

Assembly Bill No. 365

Assembly Bill No. 761

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 7.

JUDAH, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 135

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 131

Senate Bill No. 1204

Senate Bill No. 178

Senate Bill No. 1456

Senate Bill No. 1108

And reports the same correctly engrossed.

POWERS, Chairman

ADJOURNMENT

At 4.50 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 9.30 a.m., Friday, April 18, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FORTY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED THIRD CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, April 18, 1947

The Senate met at 9.30 a.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Denel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, and Watson—34.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Williams, on motion of Senator Powers, due to legislative business.

Senator McCormack, on motion of Senator Powers, due to legislative business.

Senator Salsman, on motion of Senator Parkman, due to legislative business.

Senator Weybret, on motion of Senator Parkman, due to legislative business.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 54

Senate Bill No. 1188

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1182

Has had the same under consideration, and reports the same back without recommendation, and be re-referred to Committee on Local Government.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bill re-referred to Committee on Local Government.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1375

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 6; noes 3; absent 2.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 1193

Senate Bill No. 1283

Assembly Bill No. 2648

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1170

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; noes 2; absent 2.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Education

SENATE CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 1210

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 9.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 208

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 133

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 9.

SLATER, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities

SENATE CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: The Committee on Public Utilities, to which was referred:

Assembly Bill No. 859

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 5; absent 2.

PARKMAN, Chairman

Above reported bill ordered to second reading.

President Pro Tempore of the Senate Presiding

At 10.02 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Hatfield moved that Senate Bills Nos. 344 and 343 be taken from the inactive file, and placed on the second reading file.

Motion carried.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 194—An act to amend Section 86 of the Agricultural Code, relating to the powers of district agricultural associations.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1474—An act to amend Section 1260 of the Military and Veterans Code, relating to definitions.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 784—An act to repeal Article 10 of Chapter 2 of Division 10 of the Education Code and to add Article 10 to Chapter 2 of Division 10 of said code, relating to providing of housing and other facilities for students, faculty members, and employees of the state colleges, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1492—An act to amend Section 1126 and to add Sections 1127, 1128, and 1129 to the Labor Code, relating to collective bargaining agreements and prohibiting attempts to cause or induce violations thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

Amendment No. 1

On page 1 of the printed bill, after line 10, insert
"Nothing herein shall prohibit an employee voluntarily becoming or remaining a member of a labor organization, or from personally requesting any other person to join a labor organization."

Amendment No. 2

On page 2, line 5, of the printed bill, strike out the period, and insert ", not found to be employer dominated or controlled."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

Senate Bill No. 1493—An act to add Chapter 7, comprising Sections 1115, 1116, and 1117, to Part 3, Division 2 of the Labor Code, relating to jurisdictional strikes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Labor:

Amendment No. 1

On page 1, line 19, of the printed bill, strike out the period; and insert ", or from personally requesting any other person to join a labor organization."

Amendment No. 2

On page 2, line 3, of the printed bill, strike out the period, and insert ", which is not found to be employer controlled or dominated."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

Senate Bill No. 1512—An act to amend Sections 4421, 4424, and 4433 of the Public Resources Code, relating to reforestation of forest lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 to 22, inclusive, and insert
(2) liquidating forest lands primarily suitable for timber production which may be acquired under precutting agreements, (3) demonstration forests of 2,000 acres or less adapted to furnish local needs of investigation, demonstration, and education in those

timber counties where the ownership pattern is such that management of small areas is an important problem, and (4) one area not to exceed approximately 40,000 acres in each of the following forest districts, Coast Range Pine and Fir District, North Sierra Pine District and the South Sierra Pine District, for the purpose of demonstration of economical forest management. These areas shall not include virgin timber except that which is incidental to areas previously harvested."

Amendment No. 2

On page 2, line 15, of said bill, after "acquisition", insert ", said public hearing to be held by the board of supervisors, notice of which shall be published at least two weeks prior to such hearing in one or more legal newspapers of the county, such hearing to be optional to the board of supervisors for areas of 2,000 acres or less".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 738—An act to amend Section 4352 of the Public Resources Code, relating to state nurseries.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 1

On page 1, line 15, of the printed bill, after "more", insert ", and seeds of commercial timber species may be sold in quantities of 10 pounds or more,".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 254—An act to amend Sections 3 and 5 of an act entitled "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," approved April 23, 1945, relating to maximum sustained productivity of the forest lands of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

Amendment No. 1

On page 1, line 10, of the printed bill, after "Sonoma," insert "Marin,".

Amendment No. 2

On page 1, line 18, of said bill, strike out "line easterly", and insert "direct line east".

Amendment No. 3

On page 1, line 19, of said bill, strike out "to the source of the Truckee River".

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 11, inclusive, and insert "the State bounded on the north by the Feather and Bear Rivers, a direct line east from the source of the Bear River to the Nevada State line, on the east by the Nevada and Arizona State lines, on the south by the Republic of Mexico, and on the west by the Sacramento and San Joaquin River Valleys and extending south to the southern limit of the commercial timber belt."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 135—An act to amend Section 19514 of the Business and Professions Code, relating to employees in the pari-mutuel departments of race tracks.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 4, of the printed bill, after "track", insert "except employees engaged in a supervisory capacity not to exceed 10 percent of said employees".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 315—An act to amend the heading of Chapter 1 of Division 4 and Sections 3300 and 3301 of the Health and Safety Code, to amend and renumber Section 3300a thereof to be Section 3300.5, to repeal Sections 3100 and 3101 and Chapter 3 of Division 4 thereof, comprising Sections 3325 and 3326, to add Sections 3301.5 and 3301.6 thereto, and to amend and renumber the heading of Chapter 4 of Division 4 thereof to be Chapter 3 thereof, relating to state grants-in-aid to counties, cities and counties, and cities for the treatment and care of persons suffering from tuberculosis, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 901—An act to amend the title of Chapter 1 and of Part 2, Division 2, of the Military and Veterans Code, relating to the name of the California High School Cadet Corps; to amend Sections 500, 500.1, 501, 502.1, 502.2, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512.1, 513.1, 514, 515.1, 516, 516.1, 517, 520.1, and 530 of the said code, relating to the admission of colleges and junior college to the High School Cadet Program, the change in name of the High School Cadet Corps, the adoption of rules and regulations for the control of the cadet corps, the appointment of commandants, assistant commandants and assistant commandants, junior grade, the commissioning of cadet supervisors, the regulation of cadet uniforms and insignia, the organization of the cadet corps, the appointment of cadets officers and noncommissioned officers and their promotion, dismissal from the corps and the discipline of the corps, limitations as to formation of cadet corps, preparation of cadet instruction, inspections, marksmanship instruction, issuance of military property cadets including rifles, schools and conferences for personnel, establishment of cadet units in private educational institutions, and commissioning of officers in military academies and professors of military science and tactics.

Bill read second time, and ordered to third reading.

Assembly Bill No. 902—An act to amend Sections 128, 143, 145, 146, 147, 167, 168, 170, 255, 340, 360, 361, 366, 421, 422 of the Military and Veterans Code, relating to the addition of the unorganized militia when called into the service of the State and its employment in the same

situations as the National Guard when necessary, the description of circumstances in which the military forces may be employed, the creation of an offense for violation of a military proclamation, the change in name of the office of Adjutant General, the wearing of a military uniform, the equipment of the unorganized militia when called into the service of the State and the extension of compensation benefits to such militia when so employed, the wrongful disposition of military property, a system of discipline for the unorganized militia when called into the service of the State, and the employment of the unorganized militia when called into the service of the State.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1398—An act amending Section 395 of the Military and Veterans Code, relating to the pay and allowances of National Guard officers and enlisted men while on active duty in the service of the State and attending drills, camps or special exercises sponsored by federal authority or while serving in cases of an emergency; the right to be reinstated to employment following return from full-time active duty after an emergency and the procedure therefor, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 230—An act to amend Section 9 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on March 28, 1947, strike out "follows:", and insert "provided herein and in Section 9.5."

Amendment No. 2

On page 1, line 7, of said bill, strike out "(a)".

Amendment No. 3

On page 1 of said bill, strike out lines 14 to 24, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 20, inclusive.

Amendment No. 4

On page 3 of said bill, after line 47, insert
"SEC. 2. Section 1 of this act shall not become operative unless Assembly Bill No. 849 is enacted at this session of the Legislature."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 362—An act to amend Section 1395 of the Labor Code, relating to the employment of minors.

Bill read second time, and ordered to third reading.

Assembly Bill No. 365—An act to amend Section 1582 of the Labor Code, relating to private employment agencies.

Bill read second time, and ordered to third reading.

Assembly Bill No. 411—An act to amend Section 973 of the Labor Code, relating to solicitations for employment.

Bill read second time, and ordered to third reading.

Assembly Bill No. 761—An act to repeal the War Production Act, relating to employment and working conditions of female employees and to all permits issued thereunder.

Bill read second time, and ordered to third reading.

MOTION TO PRINT LETTER OF TRANSMITTAL AND REPORT

Senator Ward moved that the letter of transmittal be printed in the Journal, and that the Report of the Interim Committee on Workmen's Compensation Benefits be printed in the Appendix of the Journal, and that 2,000 additional copies be printed for distribution.

Motion carried.

LETTER OF TRANSMITTAL

SENATE, CALIFORNIA LEGISLATURE

To the California Senate

Your Interim Committee on Workmen's Compensation Benefits, appointed pursuant to Senate Resolution No. 34 of the Fifty-sixth (First Extraordinary) Session and continued pursuant to Senate Resolution No. 20 of the Fifty-seventh (Regular) Session, submits herewith its report.

Respectfully submitted.

SENATOR CLARENCE C. WARD, Chairman
SENATOR OLIVER J. CARTER
SENATOR NELSON S. DILWORTH
SENATOR JAMES J. MCBRIDE
SENATOR FRED WEYBRET

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1174

Senator Swing moved that Senate Bill No. 1174 be withdrawn from Committee on Governmental Efficiency, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1174—An act to amend Sections 19484 and 19538 of the Business and Professions Code, relating to horse racing.

Bill read second time.

Motion to Amend

Senator Swing moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 14, 1947, after "of", insert " , and to add Sections 19485.5 and 19597.5 to,".

Amendment No. 2

On page 1, line 5, of said bill, before "county", insert "a".

Amendment No. 3

On page 1, line 6, of said bill, after "licensee", insert "organization or".

Amendment No. 4

On page 1, line 8, of said bill, strike out "SEC. 3.", and insert "SEC. 2."

Amendment No. 5

On page 2 of said bill, strike out lines 20 to 24, inclusive; and in line 25, strike out "for rent of the track.", and insert "on a charity day only the direct expenses incurred because of the conduct of racing on such day. The charity day racing herein provided for shall be conducted solely for the purposes herein recited and shall not be conducted for the benefit of, and no profit shall be made therefrom by, the licensee of the meeting in connection with which the charity day racing is conducted."

Amendment No. 6

On page 2, line 27, of said bill, strike out "conducting", and insert "conduct".

Amendment No. 7

On page 2 of said bill, between lines 27 and 28, insert

"SEC. 3. Section 19485.5 is added to said code, to read:

19485.5. A charity day licensee under Section 19538 shall pay the license fee prescribed in Section 19485, taking into consideration in the determination of said license fee the money handled in the pari-mutuel pool in connection with the charity day racing only. No part of any money handled in the pari-mutuel pool operated by a licensee as agent only of a nonprofit organization or corporation in connection with racing on any permitted charity day, in accordance with Section 19538, shall be included in, or in the computation of, the license fee payable by such licensee with respect to the meeting in connection with which the charity day racing is conducted.

SEC. 4. Section 19597.5 is added to said code, to read:

19597.5. The maximum commission which may be deducted from a pari-mutuel pool by a charity day licensee under Section 19538 shall be as prescribed in Section 19597, taking into consideration in the determination of said commission the money handled in the pari-mutuel pool in connection with the charity day racing only. No part of any money handled in the pari-mutuel pool operated by a licensee as agent only of a nonprofit organization or corporation in connection with racing on any permitted charity day, in accordance with Section 19538, shall be included in, or in the computation of, the commission deducted by such licensee from pari-mutuel pools with respect to the meeting in connection with which the charity day racing is conducted."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES**Committee on Local Government**

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 828

Senate Bill No. 246

Senate Bill No. 172

Senate Bill No. 1304

Senate Bill No. 173

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1007

Assembly Bill No. 534

Senate Bill No. 1162

Assembly Bill No. 849

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 704

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 15, 1947

MR. PRESIDENT: The Committee on Rules has appointed the following Senators to serve as members of the Senate Investigating Committee on Education under the terms of Senate Resolution No. 71:

Dilworth

Weybret

Williams

Watson

Donnelly

POWERS, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)**MOTIONS TO RECONSIDER**

Senate Bill No. 210—An act to amend Section 4919 of the Education Code, relating to elections for the reorganization of school districts.

Motion to Reconsider Waived

Senator Jespersen waived his motion to reconsider the vote whereby Senate Bill No. 210 was passed.

Senate Bill No. 210 ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS

Senate Bill No. 362—An act to add Sections 31.5 and 34.5 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3930, 3946, 7966, 8720, 8721, and 8722, and to repeal Section 2838 of, the Elections Code, relating to nominations and party conventions.

Motion to Set Special Order

Senator Mayo moved that Senate Bill No. 362 be made a special order of business for Monday, April 21, 1947, at 2.30 p.m.

Motion carried.

Senate Bill No. 510—An act to add Section 32129 to the Health and Safety Code, relating to powers of boards of directors of local hospital districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Swing, Tenney, Ward, and Watson—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 705—An act to amend Section 337 of the Penal Code, relating to horse racing and prescribing penalties for illegal acts and practices in connection therewith.

Motion to Refer Bill to Inactive File

Senator Ward moved that Senate Bill No. 705 be placed on the inactive file.

Motion carried.

Senate Bill No. 709—An act to add Section 19512.5 to the Business and Professions Code, relating to the obligations of licensees of the California Horse Racing Board in respect to horses in their charge.

Motion to Refer Bill to Inactive File

Senator Ward moved that Senate Bill No. 709 be placed on the inactive file.

Motion carried.

Senate Bill No. 793—An act to amend Sections 156, 158, 159, 161, and 164 of the Vehicle Code, relating to license plates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Slater, Swing, Tenney, Ward, and Watson—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1204—An act to add Section 92.6 to the Agricultural Code, relating to fairs conducted by counties and district Agricultural associations.

Motion to Refer Bill to Inactive File

Senator Deuel moved that Senate Bill No. 1204 be placed on the inactive file.

Motion carried.

Senate Bill No. 131—An act to amend Sections 272, 274, 275, 281, 283, 284, and 285.3, to add Sections 272.5 and 281.6 to, and to repeal Section 281.5 of the Agricultural Code, relating to bee diseases and apiary equipment brands.

Motion to Refer Bill to Inactive File

Senator Deuel moved that Senate Bill No. 131 be placed on the inactive file.

Motion carried.

Senate Bill No. 1108—An act to amend Section 737.6-2 of the Agricultural Code, relating to fluid milk testing.

Bill read third time.

Motion to Amend

Senator Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 3, 1947, immediately preceding "the", insert "and to add Section 737.6-3 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out the period, and insert "and to milk and milk products statistics."

Amendment No. 3

On page 1 of said bill, immediately following line 16, insert

"SEC. 2. Section 737.6-3 is added to the Agricultural Code, to read:

737.6-3. In addition to the compilation of information pertaining to fluid milk and fluid cream from the reports required by this chapter, the director shall collect, assemble, compile, and distribute statistical data relative to fluid milk, fluid cream, other milk and milk products, and such other information as may relate to the dairy industry and the provisions of this chapter."

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 30—Relative to remains of Americans fighting with Allied Forces killed in action in World War II.

Resolution read, and presented by Senator Hulse.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Swing, Tenney, Ward, and Watson—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 797—An act to amend Section 20 of the Probate Code, relating to wills.

Bill read third time, and presented by Senator Keating.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Slater, Swing, Ward, and Watson—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 456—An act to amend Section 19700 of the Health and Safety Code, relating to signs in hotels.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, Parkman, Powers, Slater, Tenney, and Ward—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Assembly Bill No. 796—An act to amend Section 7100 of the Health and Safety Code, relating to control of the disposition of the remains of a deceased person.

Bill read third time, and presented by Senator Keating.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Slater, Sutton, Tenney, Ward, and Watson—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 614—An act to amend Sections 9765, 9791, 13538, 13571, 13576, and 13579, and to repeal Sections 13572, 13574, 13575, 13577, 13580, and 13604 of, the Government Code, relating to the State Printing Office.

Bill read third time.

Motion to Amend

Senator Mayo moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 21, 1947, after "of", insert ", and to add Section 13530.5 to".

Amendment No. 2

On page 2 of said bill, following line 41, insert

"Sec. 7. Section 13530.5 is hereby added to the Government Code, to read:

13530.5. All printing required by district agricultural associations, with the exception of the printing of checks for disbursement of money, shall be exempt from Section 13530".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 2570—An act to amend Section 8 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, making an appropriation therefor and relating to the period of availability of moneys thereby or heretofore appropriated therefor, declaring the urgency thereof and declaring that this act shall take effect immediately.

Bill read third time, and presented by Senator Burns.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2570:

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, April 3, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 2570—"An act to amend Section 8 of an act entitled 'An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately,' approved February 15, 1946, relating to the availability of the appropriation made thereby, declaring the urgency thereof and declaring that this act shall take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 2570 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Burns moved a call of the Senate.

Motion carried. Time, 11.01 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

Further Proceedings Under Call of the Senate Dispensed With

At 11.03 a.m., on motion of Senator Burns, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 2570 adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Slater, Sutton, Tenney, Ward, and Watson—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Mayo, O'Gara, Parkman, Powers, Slater, Sutton, Swing, Tenney, Ward, and Watson—28.

NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES**Committee on Elections**

SENATE CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: The Committee on Elections, to which was referred:

Senate Bill No. 185

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

CARTER, Chairman

Above reported bill ordered to second reading.

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 38

Assembly Bill No. 424

Assembly Bill No. 406

Assembly Bill No. 1328

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

DILLINGER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Assembly Bill No. 115

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Senate Bill No. 962

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Senate Bill No. 862

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 5; absent 4.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:
Senate Bill No. 965
Senate Bill No. 1112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

DILLINGER, Chairman

Above reported bills ordered to second reading.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator McCormack:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to provide for the participation by the State of California in public centennial celebrations to be held at the City of Benicia, creating a commission therefor and making an appropriation.

Respectfully submitted.

SENATOR McCORMACK

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 18, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Crittenden moved a call of the Senate.

Motion carried. Time, 11.13 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE SENATE
WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1097**

Senator Desmond moved that Senate Bill No. 1097 be withdrawn from Committee on Social Welfare, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1097—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Motion to Amend

Senator Desmond moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 13", and insert "Sections 1 and 57".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 31, inclusive, and insert "Section 1 of the Social Unemployment Act is amended to read:

Section 1. As a guide to the interpretation and application of this act the public policy of this State is declared as follows:

Experience has shown that large numbers of the population of California do not enjoy permanent employment by reason of which their purchasing power is unstable. This is detrimental to the interests of the people of California as a whole.

The benefit to all persons resulting from public and private enterprise is realized in the final consumption of goods and services. It is contrary to public policy to permit the supply of consumption goods and services at prices which do not provide against that harm to the population consequent upon periods of unemployment of those who contribute to the production and distribution of such goods and services.

Experience has shown that private charity and local relief cannot alone prevent the effects of unemployment. Experience has shown that if the State awaits the coming of excessive unemployment it can neither create immediately the organization necessary to orderly, economical and effective relief nor bear the financial burden of relief without disrupting its whole system of ordinary revenues and without jeopardizing its credit.

The Legislature therefore declares that in its considered judgment the public good and the general welfare of the citizens of the State require the enactment of this measure under the policy power of the State, for the compulsory setting aside of funds to be used for a System of Unemployment Insurance providing benefits for persons unemployed through no fault of their own, and to reduce involuntary unemployment and the suffering caused thereby to a minimum.

It is the intent of the Legislature that persons involuntarily unemployed shall be required to make all reasonable effort to secure employment on their own behalf.

SEC. 2. Section 57 of the Unemployment Insurance Act is amended to read:

Sec. 57. An unemployed individual shall be eligible to receive benefits with respect to any week only if the commission finds that:

(a) A claim for benefits with respect to such week has been made in accordance with such regulations as the commission may prescribe.

(b) He has registered for work, and thereafter continued to report, at a public employment office or such other place as the commission may approve, except that either or both of the requirements of this subdivision may be waived or altered by authorized regulation as to partially employed individuals attached to regular jobs.

(c) He was able to work and available for work for such week.

(d) He has been unemployed for a waiting period of one week. No week shall be counted as a week of unemployment for the purposes of this subsection:

(1) Unless it occurs within the benefit year which includes the week with respect to which he claims payment of benefits; provided, that this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment; and provided, further, that the week immediately preceding a benefit year, if part of one uninterrupted period of unemployment which continues into such benefit year shall be deemed (for the purposes of this subsection only) to be within such benefit year as well as within the preceding benefit year.

(2) If benefits have been paid with respect thereto.

(3) Unless the individual was eligible for benefits with respect thereto in all respects, except for the requirements of this subsection (d) and Section 53.

(e) He has during his base year been paid wages for employment by employers of not less than three hundred dollars (\$300) ; provided, however, that if more than 75 percent of his base-period wages were paid during a single calendar quarter, he shall not be eligible for benefits unless his total wages, during the base period are not less than 30 times his weekly benefit amount.

(f) He has made such effort to seek work on his own behalf as may be required in accordance with such regulations as the commission shall prescribe."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 11.18 a.m., on motion of Senator Crittenden, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senator McCormack was granted permission to introduce a bill by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Slater, Sutton, Tenney, Ward, and Watson—30.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced, and read the first time :

Senate Bill No. 1559: By Senator McCormack—An act to provide for the participation by the State of California in public centennial celebrations to be held at the City of Benicia, creating a commission therefor and making an appropriation.

Referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred :

Senate Bill No. 1253

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which were referred :

Senate Bill No. 956

Senate Bill No. 955

Senate Bill No. 957

Senate Bill No. 1523

Senate Bill No. 958

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

BREED, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1271

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 960

Senate Bill No. 959

Senate Bill No. 1277

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 9.

BREED, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 251

Senate Bill No. 1068

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

BREED, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1059

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 17, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 906

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

BREED, Chairman

Above reported bill ordered to second reading.

ADJOURNMENT

At 11.25 a.m., on motion of Senator Carter, the President declared the Senate adjourned until 2 p.m., Monday, April 21, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FORTY-EIGHTH LEGISLATIVE DAY
ONE HUNDRED SIXTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, April 21, 1947

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names :

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—35.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day :

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Keating, on motion of Senator Powers, due to illness.

Senator Quinn, on motion of Senator Powers, due to legislative business.

Senator Williams, on motion of Senator Cunningham, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Paul McKenney of Alturas.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Capt. L. A. Rasmussen and Capt. A. H. Koshken of Oakland.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister Mary

Benedicta, Sister Mary Oliver, and members of the Junior and Senior Classes of Saint Joseph's Academy of Sacramento.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. L. P. Fuller, President of the San Fernando Valley Republican Women, of Encino.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Harvey Sullivan and son, James Sullivan, of Santa Rosa.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 21
Senate Bill No. 1552

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 18

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 72
Assembly Bill No. 157
Assembly Bill No. 797

Assembly Bill No. 2570
Assembly Joint Resolution No. 30

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 51

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Concurrent Resolution No. 51—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eleventh day of February, 1947.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 51, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 51

Assembly Concurrent Resolution No. 51—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eleventh day of February, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Carter, Collier, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Judah, Kraft, Mayo, McBride, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—23.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly on this day adopted :

Assembly Joint Resolution No. 36

Assembly Joint Resolution No. 37

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read :

Assembly Joint Resolution No. 36—Relative to establishing September 17th as Constitution Day.

Referred to Committee on Rules.

Assembly Joint Resolution No. 37—Relative to extending pension benefits to persons who served on certain transport vessels operated by the Army during the War with Spain, the Philippine Insurrection, and the China Relief Expedition.

Referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly on this day passed :

Assembly Bill No. 77
Assembly Bill No. 79
Assembly Bill No. 106
Assembly Bill No. 148
Assembly Bill No. 162
Assembly Bill No. 164
Assembly Bill No. 369
Assembly Bill No. 449
Assembly Bill No. 512
Assembly Bill No. 513
Assembly Bill No. 514
Assembly Bill No. 515
Assembly Bill No. 517
Assembly Bill No. 518
Assembly Bill No. 568
Assembly Bill No. 574
Assembly Bill No. 596
Assembly Bill No. 620
Assembly Bill No. 634
Assembly Bill No. 802
Assembly Bill No. 820

Assembly Bill No. 841
Assembly Bill No. 858
Assembly Bill No. 860
Assembly Bill No. 903
Assembly Bill No. 907
Assembly Bill No. 1098
Assembly Bill No. 1108
Assembly Bill No. 1134
Assembly Bill No. 1232
Assembly Bill No. 1275
Assembly Bill No. 1311
Assembly Bill No. 1312
Assembly Bill No. 1366
Assembly Bill No. 1392
Assembly Bill No. 1417
Assembly Bill No. 1428
Assembly Bill No. 1429
Assembly Bill No. 1439
Assembly Bill No. 1909
Assembly Bill No. 1936
Assembly Bill No. 2119

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 2150
Assembly Bill No. 2320

Assembly Bill No. 2358
Assembly Bill No. 2533

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 77—An act to repeal Article 5 of Chapter 2, Part 3, Division 3 of Title 2 of the Government Code and to add Sections 1048 to 1053, inclusive, to the Military and Veterans Code, relating to Napa State Farm.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 79—An act to add Section 20363 to the Government Code and to add Section 1020 to the Military and Veterans Code, relating to employees of the Veterans' Home of California.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 106—An act to amend Section 1001 of the Government Code, relating to civil executive officers.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 148—An act to amend Sections 379, 380, 382, 383, 383.1, and 776 of the Vehicle Code, Section 7 of an act entitled "An act to regulate the caravaning of vehicles upon the public highways of this State, defining the term 'caravaning' and providing for the licensing of vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposition of such fees and imposing penalties for violation thereof, and to repeal an act entitled 'An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof,' approved July 6, 1935, declaring the urgency thereof, and providing that it shall take effect immediately," approved July 1, 1937, being Chapter 788 of the Statutes of 1937, and Section 10901 of the Revenue and Taxation Code, relating to fees collected by the Department of Motor Vehicles and refunds made thereby.

Referred to Committee on Transportation.

Assembly Bill No. 162—An act to amend Sections 10753.5 and 10755 of the Revenue and Taxation Code, relating to the vehicle license fee, and vehicles subject thereto.

Referred to Committee on Transportation.

Assembly Bill No. 164—An act to amend Sections 298, 307, 308, and 502 of the Vehicle Code, relating to the suspension and revocation of drivers' licenses.

Referred to Committee on Transportation.

Assembly Bill No. 369—An act to amend Sections 272, 274, 275, 281, 283, 284, and 285.3 of, to add Sections 272.5 and 281.6 to, and to repeal Section 281.5 of, the Agricultural Code, relating to bee diseases and apiary equipment brands.

Referred to Committee on Agriculture.

Assembly Bill No. 449—An act to amend Section 252 of the Revenue and Taxation Code, relating to affidavits for exemptions.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 512—An act to add Section 689.6 to the Code of Civil Procedure, relating to executions.

Referred to Committee on Judiciary.

Assembly Bill No. 513—An act to amend Section 689b of the Code of Civil Procedure, relating to executions.

Referred to Committee on Judiciary.

Assembly Bill No. 514—An act to amend Section 689.5 of the Code of Civil Procedure, relating to executions.

Referred to Committee on Judiciary.

Assembly Bill No. 515—An act to amend Section 1033.7 of the Code of Civil Procedure, relating to costs and interest on execution.

Referred to Committee on Judiciary.

Assembly Bill No. 517—An act to amend Section 2968 of the Civil Code, relating to mortgage of personal property.

Referred to Committee on Judiciary.

Assembly Bill No. 518—An act to repeal Sections 2969 and 2970 of the Civil Code, relating to levy of attachments and executions and application of proceeds of sale.

Referred to Committee on Judiciary.

Assembly Bill No. 568—An act to amend Section 699 of the Vehicle Code, relating to the length of vehicles.

Referred to Committee on Transportation.

Assembly Bill No. 574—An act to amend Section 2956 of the Civil Code, relating to the form of mortgages on crops or chattels.

Referred to Committee on Judiciary.

Assembly Bill No. 596—An act to amend Section 19056 of the Government Code, relating to certification from eligible lists in the state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 620—An act to amend Section 4300b of the Political Code and 26726 of the Government Code, relating to sheriffs', constables' and marshals' fees.

Referred to Committee on Local Government.

Assembly Bill No. 634—An act to amend Sections 370, 371, 372, and 375 of the Elections Code, relating to the index to affidavits of registration.

Referred to Committee on Elections.

Assembly Bill No. 802—An act to amend Section 759.1 of the Political Code, relating to reporters for district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 820—An act to amend Section 103½ of the Code of Civil Procedure, relating to justices' clerks in cities and towns, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Local Government.

Assembly Bill No. 841—An act to amend Section 18594 of the Government Code, relating to the officers and employees of the Public Utilities Commission of the State of California (formerly the Railroad Commission of the State of California), exempting certain positions from the state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 858—An act to amend Section 5 of an act entitled "An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof," approved May 18, 1943, relating to the time said act remains in effect, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation.

Assembly Bill No. 860—An act to amend Sections 3906, 3908, and 3910 of, and to add Section 3913 to, the Revenue and Taxation Code, relating to the correlative rights of taxing agencies.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 903—An act to amend Section 19402 of the Government Code, relating to leave of absence for veterans for educational training.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 907—An act to amend Section 18977 of the Government Code, relating to qualifications of veterans for state civil service examinations.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 1098—An act to add Section 13841.2 to the Education Code, relating to certificated employees.

Referred to Committee on Education.

Assembly Bill No. 1108—An act to add Section 66g to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Orange, and providing for the appointment of an additional judge and for his compensation.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1134—An act to amend Section 120 of the Agricultural Code, relating to nursery license fees and renewal penalties.

Referred to Committee on Agriculture.

Assembly Bill No. 1232—An act to amend Section 487 of the Penal Code, relating to grand theft.

Referred to Committee on Judiciary.

Assembly Bill No. 1275—An act to add Section 604.12 to the Vehicle Code, relating to motoreycles.

Referred to Committee on Transportation.

Assembly Bill No. 1311—An act to amend Sections 13308, 13555, 14103, 14201, 14212, and 14811 of the Revenue and Taxation Code, and to add Section 14741 thereto, relating to inheritance taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1312—An act to amend Sections 15110, 15111, 15305, and 16221 of the Revenue and Taxation Code, to amend and renumber Section 15963 thereof, to add Section 16510 thereto, and to repeal Sections 15212 and 15557 thereof, relating to gift taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1366—An act to amend Section 20016 of the Government Code, relating to members of the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1392—An act to add Section 18543 to the Government Code, defining "military leave."

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 1417—An act to repeal Sections 1435, 1435.1, 1435.2, 1435.3, 1435.4, 1435.5, 1435.6, 1435.7, 1435.8, 1435.9, and 1435.10 of the Probate Code and to add a new chapter to Division 4 of said code to be numbered Chapter IIA, consisting of Sections 1435.1 to 1435.39, inclusive, relating to the management, control, and disposition of the community real property and the homestead property of insane or incompetent persons.

Referred to Committee on Judiciary.

Assembly Bill No. 1428—An act to add Section 3447.1 to the Welfare and Institutions Code, relating to aid to the partially self-supporting blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 1429—An act to amend Section 3047 of the Welfare and Institutions Code, relating to aid to the needy blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 1439—An act to amend Section 553.5 of the Agricultural Code, relating to sterilized milk and cream.

Referred to Committee on Agriculture.

Assembly Bill No. 1909—An act to amend Section 18976 of the Government Code, relating to veterans' civil service preference.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 1936—An act to amend Section 1557 of, and to add Section 1557.1 to, the Penal Code, relating to the payment of the expenses of returning arrested persons for trial.

Referred to Committee on Judiciary.

Assembly Bill No. 2119—An act to add Section 2165d to the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 2150—An act to amend Sections 10163 and 10479 of the Insurance Code, relating to life insurance.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2320—An act to amend Section 737rr of the Political Code, relating to superior judges' salaries.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 2358—An act to add Section 512.2 to the Vehicle Code, relating to the reduction of prima facie speed limits on state highways in snow areas, declaring the urgency hereof, and providing that this act take effect immediately.

Referred to Committee on Transportation.

Assembly Bill No. 2533—An act to add Sections 20981.5 and 20985 to the Government Code, relating to the retirement of members of the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 147
Assembly Bill No. 390
Assembly Bill No. 815
Assembly Bill No. 818
Assembly Bill No. 914
Assembly Bill No. 961

Assembly Bill No. 1153
Assembly Bill No. 1593
Assembly Bill No. 1707
Assembly Bill No. 2027
Assembly Bill No. 2131
Assembly Bill No. 2266

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 147—An act to amend Sections 453, 623.5, 640, and 650.6 of the Vehicle Code, relating to persons and equipment engaged in highway work, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Transportation.

Assembly Bill No. 390—An act to amend Section 212 of the Labor Code, relating to the payment of wages.

Referred to Committee on Labor.

Assembly Bill No. 815—An act to amend Sections 664 and 665 of the Probate Code, relating to probate of homesteads.

Referred to Committee on Judiciary.

Assembly Bill No. 818—An act to amend Section 737a of the Political Code, relating to salaries of superior court judges.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 914—An act to amend Section 1161 of the Civil Code, relating to prerequisites to recordation, and Section 2952 of the Civil Code, relating to mortgages of real property, and providing for the recording of fictitious mortgages and deeds of trust and the inclusion of the provisions thereof in other mortgages and deeds of trust by reference, and constructive notice of such mortgages and deeds of trust by the recording thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 961—An act adding Chapter 5 comprising Sections 19800 through 19809 inclusive, to Division 8 of the Business and Professions Code and to repeal Chapter 704 of the Statutes of 1921, relating to standard bread loaves, wrappings and markings.

Referred to Committee on Business and Professions.

Assembly Bill No. 1153—An act to add Section 9105 to the Government Code, relating to the State Capitol Building, the management thereof, and the assignment and reassignment of space therein, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 1593—An act to add Section 1238.2 to the Code of Civil Procedure, relating to farmers' free market, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 1707—An act to amend Section 20009.1 of the Government Code, relating to the Retirement System.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 2027—An act to repeal Sections 118.5 and 929 and to amend Section 921 of the Fish and Game Code, relating to districts and nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 2131—An act to amend Section 811 of, and to add Section 806.5 to the Fish and Game Code, relating to clams.

Referred to Committee on Fish and Game.

Assembly Bill No. 2266—An act to amend Sections 5403, 5406, 5408, 5409, 5410.2, and 5410.4 of, and to add Sections 5410.45 and 5402.5

to, the Public Resources Code, relating to recreation park and parkway districts.

Referred to Committee on Natural Resources.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 13

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 13—Relative to Sergeants in the State Police.

Referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 13

Senate Bill No. 682

Senate Bill No. 194

Senate Bill No. 784

Senate Bill No. 680

Senate Bill No. 1240

Senate Bill No. 681

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 683

Senate Bill No. 751

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 19, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 254

Senate Bill No. 738

Senate Bill No. 1512

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 135

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 19, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1108

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 18, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 609

And reports the same correctly re-engrossed.

POWERS, Chairman

MOTION TO APPROVE JOURNALS

Senator Powers moved that the Journals of Monday, April 14, 1947; Tuesday, April 15, 1947; Wednesday, April 16, 1947; Thursday, April 17, 1947; and Friday, April 18, 1947, be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 788

Senator Salsman moved that Senate Bill No. 788 be withdrawn from Committee on Governmental Efficiency, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 788—An act to create and provide for a Prepaid Health Service System for the people of the State of California and making an appropriation therefor.

Bill read second time.

Motion to Amend

Senator Salsman moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 1 and 2, of the printed bill, strike out "periodical refresher courses at recognized medical schools", and insert "periodic postgraduate study and refresher courses".

Amendment No. 2

On page 3, line 49, of said bill, after "operating", insert "or delivery".

Amendment No. 3

On page 4, line 15, of said bill, strike out the colon.

Amendment No. 4

On page 4, line 16, of said bill, strike out "(a) In", and insert "in".

Amendment No. 5

On page 4 of said bill, strike out line 17, and insert "surgery :
(a) The payment of bed and board charges for a period not".

Amendment No. 6

On page 4, line 20, of said bill, strike out "in any period of hos-"; and strike out lines 21 to 23, inclusive, and insert "in connection with any single disability for services rendered".

Amendment No. 7

On page 4, line 24, of said bill, after the period, insert "The amount need not be uniform as to all types or categories of cases."

Amendment No. 8

On page 4 of said bill, strike out lines 28 to 30, inclusive; and in line 31, strike out "(c)", and insert
"(b)".

Amendment No. 9

On page 4, line 33, of said bill, strike out "(d)", and insert
"(c)".

Amendment No. 10

On page 5 of said bill, strike out line 1, and insert
"(i) Services for the care of tuberculosis after diagnosis of such condition. In providing such services the authority may contract with public and private facilities.

An extension under subdivisions (f), (g), and (i) need not be".

Amendment No. 11

On page 5 of said bill, between lines 6 and 7, insert
 "Sec. 57.5. An individual qualifying under Section 75 who has received earnings in excess of one thousand five hundred dollars (\$1,500) during the qualifying calendar quarter, and an individual qualifying under Section 75.5 who has received earnings in excess of six thousand dollars (\$6,000) during the qualifying period shall receive in lieu of the medical services provided in this article, reimbursement for such services in accordance with the fee schedule for such medical services adopted by the authority."

Amendment No. 12

On page 5, line 15, of said bill, after "beneficiary", insert "eligible under Section 75".

Amendment No. 13

On page 5 of said bill, between lines 30 and 31, insert
 "Sec. 75.5. An individual who does not qualify as eligible for health services under Section 75 shall be eligible for health services under this act if, during the preceding calendar year, he was paid wages of seven hundred fifty dollars (\$750) or more.

No individual shall be eligible for services under this section unless at the time of each application for services he could not qualify as eligible under the provisions of Section 75."

Amendment No. 14

On page 6, line 4, of said bill, after the period, insert "Any such determination shall be incorporated in a final decision of the authority within 10 days of the date of release thereof by the department."

Amendment No. 15

On page 6, line 29, of said bill, strike out "two calendar years", and insert "one calendar year".

Amendment No. 16

On page 6, line 34, of said bill, strike out "such two calendar years", and insert "the year of elective coverage".

Amendment No. 17

On page 7, line 49, of said bill, strike out "division (b)", and insert "divisions (b) and (c)".

Amendment No. 18

On page 8, line 12, of said bill, after "Unemployment fund," insert "'disability fund,"

Amendment No. 19

On page 10, line 43, of said bill, strike out "Article 4", and insert "Section 75".

Amendment No. 20

On page 10, line 45, of said bill, after "quarter," insert "or qualified under Section 75.5,".

Amendment No. 21

On page 10, line 46, of said bill, strike out "quarter", and insert "qualifying period".

Amendment No. 22

On page 10, line 49, of said bill, strike out "quarter", and insert "period".

Amendment No. 23

On page 10, line 51, of said bill, strike out "quarter", and insert "period.

Where services to a beneficiary are the liability of more than one insurer, the authority may by regulation provide for the payment of the claim out of the Health Service Fund, and for the pro-rating and assessment of charges with respect to such claim to the respective insurers".

Amendment No. 24

On page 12, line 12, of said bill, after "act", insert "which shall constitute full payment for all such services except medical services rendered a beneficiary entitled to reimbursement only pursuant to Section 57.5, or hospital services utilized by a beneficiary pursuant to Section 58".

Amendment No. 25

On page 14 of said bill, strike out lines 43 to 48, inclusive, and insert
 "(a) The rights afforded to the covered employees are at least equal to those provided for in this act, and by rule or regulation of the authority as of the last preceding first day of July, and provides for the inclusion, on July first of each succeeding year, of such additional services, as the authority may from time to time provide.

(b) The premium cost, or charge made for the basic health services provided pursuant to subdivision (a) of this section by the plan, does not exceed 2 percent of the wages paid by the employer, and in no case shall an employee be required to pay more than 50 percent of the total premium or charge for such services."

Amendment No. 26

On page 14, line 52, of said bill, after "benefits", insert ", and requires the payment by the employer of an amount equal to at least 1 percent of the wages paid by him, where the total premium cost or charge for all benefits provided under the plan exceeds an amount equal to 2 percent of the wages paid by the employer".

Amendment No. 27

On page 15, line 1, of said bill, strike out "the coverage of", and insert "full benefit rights to".

Amendment No. 28

On page 15, line 29, of said bill, strike out "two years", and insert "one year".

Amendment No. 29

On page 15, line 41, of said bill, after "employer", insert "or any prepaid medical health or hospital plan which has assumed such liability of the employer".

Amendment No. 30

On page 15, line 43, of said bill, strike out "by the employer of his", and insert "of the".

Amendment No. 31

On page 15, line 47, of said bill, strike out "less", and insert "more".

Amendment No. 32

On page 16, line 43, of said bill, strike out "commission", and insert "department".

Amendment No. 33

On page 17 of said bill, between lines 22 and 23, insert

"Sec. 312. "Voluntary Plan" as used in this act includes any prepaid medical, health or hospital service plan."

Amendment No. 34

On page 19 of said bill, after line 36, insert

"Sec. 404. The charging, collection, or receipt by a physician of any amount for medical services, rendered to a beneficiary under this act for which a claim has been filed, except for services rendered to a beneficiary entitled to reimbursement only pursuant to Section 58.5, constitutes unprofessional conduct within the meaning of Chapter 5 of Division 2 of the Business and Professions Code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 1236

Senator Collier moved that Senate Bill No. 1236 be withdrawn from Committee on Governmental Efficiency, and referred to Committee on Revenue and Taxation.

Motion carried.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 78

Senator Tenney moved that Senate Bill No. 78 be withdrawn from Committee on Business and Professions, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 78—An act to amend Sections 9540 and 9542 of the Business and Professions Code, and to add a new Article 4.5, consisting of Sections 9556 to 9559.5, inclusive, to Chapter 18, Division 3, of said code, providing for a method of marking articles accepted for

cleaning, dyeing, steam cleaning, spotting, sponging, or pressing, to facilitate the identification of such articles by law enforcement agencies.

Bill read second time.

Motion to Amend

Senator Tenney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "9540", strike out "and 9542", and insert comma and "9541 and 9555 and to repeal Section 9542".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "9559.5", and insert "9559.6".

Amendment No. 3

In line 4 of the title of the printed bill, after "providing for", insert "the assignment of identification marks by the Chief of the Bureau of Criminal Identification and Investigation and for".

Amendment No. 4

In line 7 of the title of the printed bill, after "agencies", strike out the period, and insert "and providing that such act shall be known as the 'Cleaners and Dyers Act' and further providing penalties for the violations thereof."

Amendment No. 5

On page 1, line 4, of the printed bill, after "establishment", insert "cleaning and dyeing establishment or".

Amendment No. 6

On page 1, line 4, of the printed bill, strike out "/" or " before "dyeing".

Amendment No. 7

On page 1, line 6, of the printed bill, before "school", insert "private".

Amendment No. 8

On page 1, line 6, of the printed bill, after "cleaning and", strike out "/" or ".

Amendment No. 9

On page 1, line 8, of the printed bill, after "to do", strike out "and identification marks as provided in Article 4.5 of this chapter".

Amendment No. 10

On page 1, line 9, of the printed bill, after "board", strike out "the period", and insert "and an identification mark from the Chief of the Bureau of Criminal Identification and Investigation as provided in Article 4.5 of this chapter."

Amendment No. 11

On page 1 of the printed bill, after line 17, insert

"When the board has approved the application for a license but before issuing the same, it shall refer such application to the Chief of the Bureau of Criminal Identification and Investigation who shall assign to such applicant such identification mark as is provided for in Article 4.5 of this chapter and shall return such application to the board which shall issue the license."

Amendment No. 12

On page 1, line 18, of the printed bill, after "Section", strike out "9542", and insert "9541".

Amendment No. 13

On page 1 of the printed bill, strike out lines 19 to 24, inclusive, and insert "9541. Any applicant who fails to pass the investigation and examination shall be eligible to apply for reexamination at the expiration of 45 days after notification of his failure to pass the examination. Each license shall contain the following:

1. The name of the licensee.

2. If the licensee is a plant, shop, store or pressing establishment or any agency therefor, or a private school or college and which is or will be operated under a fictitious firm name, such fictitious firm name and the name of each individual owner interested therein shall appear on the license.

3. Designation of the street and number of the premises in or upon which the licensee is or will be located.

4. The identification mark assigned to the licensee by the Chief of the Bureau of Criminal Identification and Investigation as required by this chapter.

SEC. 3. Section 9542 of said code is hereby repealed.

SEC. 4. Section 9555 of said code is amended to read:

9555. Persons serving in the armed forces of the United States or any of the United Nations on the effective date of this chapter shall be issued a certificate of registration and an identification mark as provided under this chapter by the payment of the registration fee without examination if they register within a period of twelve (12) months from the time such person is discharged, other than dishonorably, from such service, or is retired, or relieved from active duty, whichever occurs first."

Amendment No. 14

On page 2, line 1, of the printed bill, after Sec.", strike out "3", and insert "5".

Amendment No. 15

On page 2, lines 10 and 11, of the printed bill, strike out "board at its", and insert "Chief of the Bureau of Criminal Identification and Investigation in his".

Amendment No. 16

On page 2, lines 16 and 17, of the printed bill, strike out "assigned by the board".

Amendment No. 17

On page 2, line 30, of the printed bill, strike out "board", and insert "Chief of the Bureau of Criminal Identification and Investigation".

Amendment No. 18

On page 2, line 34, of the printed bill, strike out "may", and insert "shall".

Amendment No. 19

On page 3, line 9, of the printed bill, after "board", and before "of such fact", insert "and the Chief of the Bureau of Criminal Identification and Investigation".

Amendment No. 20

On page 3, line 9, of the printed bill, strike out "board", before "may", and insert "Chief".

Amendment No. 21

On page 3, line 11, of the printed bill, beginning with "If the", strike out through line 16.

Amendment No. 22

On page 3, line 17, of the printed bill, strike out "No person", and insert "Any person who".

Amendment No. 23

On page 3, line 20, of the printed bill, after "him", strike out "period", and insert "is guilty of a misdemeanor and is punishable by imprisonment in the county jail not exceeding six months or by fine not exceeding five hundred dollars (\$500), or by both."

Amendment No. 24

On page 3, line 32, of the printed bill, after "9559.5", strike out the balance of the paragraph through line 40, and insert "Unless otherwise authorized by the Chief of the Bureau of Criminal Identification and Investigation any licensee who has not changed the address of his place of business subsequent to the issuance of a license to him shall be assigned the same identification mark on each renewal of his license as was assigned to him at the time of his original application."

9559.6. This act shall be known and may be cited and referred to in any proceedings as the "Cleaners and Dyers Act".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1114

Senator Carter moved that Senate Bill No. 1114 be withdrawn from Committee on Labor, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1114—An act to add Section 5711 to the Labor Code, relating to proof of pneumoconiosis.

Bill read second time.

Motion to Amend

Senator Carter moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "the disease", and insert "a disabling form".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "disease", and insert "disabling condition".

Amendment No. 3

On page 1, line 7, of the printed bill, strike out "disease", and insert "condition".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Labor.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 349

Senator Brown moved that Senate Bill No. 349 be withdrawn from Committee on Education, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 349—An act to amend Section 2975 of the Education Code, relating to the Public School System.

Bill read second time.

Motion to Amend

Senator Brown moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 2975 of", and insert "add Section 7008.1 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "the Public School System", and insert "apportionment of the State School District Emergency Fund, declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert "SECTION 1. Section 7008.1 is added to the Education Code, to read:

7008.1. Notwithstanding anything in this chapter to the contrary, the Superintendent of Public Instruction may from any balance in the State School District Emergency Fund remaining after the apportionments required to be made under the preceding sections of this chapter have been made, make apportionments to school districts eligible therefor under this section.

A district shall be eligible to receive an apportionment under this section if:

(1) The district applies for an apportionment under this section within 15 days after this section becomes effective.

(2) There has been levied for the district for the school year 1946-1947 a rate of school district tax which shall be the maximum rate of school district tax fixed for such district by Section 6357 of this code less not more than one-half cent (\$.005).

(3) Eighty percent or more of the land in the district is exempt from taxation for school district purposes.

(4) The actual needs of the district for the school year 1946-1947 as approved by the county superintendent of schools and the Superintendent of Public Instruction but not in excess of such needs as shown by the budget of the district for the school year 1946-1947 exceed the revenue of the district from all available sources as estimated by the county superintendent of schools and the Superintendent of Public Instruction.

The amount apportioned to a school district under this section shall be the difference between the actual needs of the district approved as provided hereinbefore and the estimated revenue of the district from all available sources.

If the total amount required to be apportioned to all school districts eligible for apportionment under this section exceeds the amount available for apportionment, the amount apportioned to the several districts shall be reduced in the ratio that the amount of the deficit bears to the total amount of the moneys otherwise required to be apportioned to such districts.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The formula established by Chapter 13.6 of Division 13 of the Education Code for determining emergency state aid to school districts failed to take into account the urgent needs of districts which because of unusual circumstances are unable to meet their obligations during the current school year. In order that some assistance be made available to such districts during the current school year from the State School District Emergency Fund, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

Senate Bill No. 54—An act to amend Section 737nn of the Political Code, relating to the salaries of judges of the superior court.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 737nn", and insert "Sections 737nn, 737yy, and 737fff".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 6, insert

"SEC. 2. Section 737yy of the Political Code is amended to read:

737yy. The annual salary of the Judge of the Superior Court in and for the County of Sutter is [eight thousand five hundred dollars (\$8,500)] *ten thousand dollars (\$10,000)*.

SEC. 3. Section 737fff of the Political Code is amended to read:

737fff. The annual salary of the Judge of the Superior Court in and for the County of Yuba is [eight thousand five hundred dollars (\$8,500)] *ten thousand dollars (\$10,000)*."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 1188—An act to add Section 55.6 to the Alcoholic Beverage Control Act, relating to fair trade contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In the title of the printed bill, strike out "55.6", and insert "55.65".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "55.6", and insert "55.65".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "55.6", and insert "55.65".

Amendment No. 4

On page 1, line 3, of the printed bill, after "spirits", insert "sold at retail".

Amendment No. 5

On page 1, line 6, of the printed bill, strike out "shall be enforced by the board", and insert "no licensee shall violate any of the provisions of said contract".

Amendment No. 6

At the end of the printed bill, insert

"The board shall require every brandy manufacturer, distilled spirits manufacturer, distilled spirits rectifier and distilled spirits wholesaler to file with the board a price list showing the prices at which distilled spirits are sold to retailers.

The board may require wine growers and wine wholesalers to file with the board a price list showing the prices at which wine is sold to retailers.

The board shall have no power to fix prices but shall accept the prices filed by the licensees required or permitted to file such prices under the provisions of this section.

The board shall adopt such rules and regulations as it may determine necessary for the proper administration of this section."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 1375—An act to add a new section to be numbered 55.9 to the Alcoholic Beverage Control Act, relating to credit terms.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 3 of the printed bill, strike out lines 23 to 43, inclusive.

Amendment No. 2

On page 3, line 51, of the printed bill, strike out "prior to", and insert "either prior to or subsequent to".

Amendment No. 3

On page 3 of the printed bill, after line 51, insert

"(j) The provisions of this section shall not apply to sales of alcoholic beverages to common carriers by railroad, ship or aircraft."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1193—An act to amend Section 38f of the Alcoholic Beverage Control Act, relating to license limitation.

Bill read second time.

Motion to Amend

Senator Mayo moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "License Limitation."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1283—An act to add Section 55.6 to the Alcoholic Beverage Control Act, relating to alcoholic beverages and fair trade contracts with respect thereto.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1170—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, relating to escrows.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1210—An act to repeal Section 16075 and add new Section 16075 to the Education Code, relating to membership in any secret fraternity, sorority or club.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on April 10, 1947, between the comma and "to", insert "not including junior colleges,".

Amendment No. 2

On page 1, line 23, of said bill, strike out "be or remain"; and strike out lines 24 to 26, inclusive, and insert "remain members".

Amendment No. 3

On page 2, line 1, of said bill, strike out "to join", and insert "of".

Amendment No. 4

On page 2, line 2, of said bill, before the period, insert "after warning has been given by written notice to the parent or guardian".

Amendment No. 5

On page 2 of said bill, strike out line 5; and in line 6, strike out "violated it, shall persist in its violation.", and insert "persists in the violation of this section after warning has been given by written notice to the parent or guardian."

Amendment No. 6

On page 2, line 17, of said bill, after the comma, insert "De Molay, Antlers, or junior organizations of the Eagles, Knights of Columbus, or Moose,".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

Senate Bill No. 208—An act to amend Sections 4901, 4902, 4913, 4914, 4915, and 4953 of the Education Code, and to add Section 4912.1 to said code, all relating to the reorganization of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, after "4902", insert "4904, 4912,".

Amendment No. 2

On page 1, line 6, of said bill, after "commission", insert "Prior to the submission of any recommendation for a reorganization of school districts by any local survey committee to a regional survey commission, at least one representative from the governing board of each school district affected by a proposed study of any area shall have been appointed to the local survey committee by the county superintendent of schools of the county or counties in which the school districts under consideration are situated and shall serve as members of the local survey committee until such

time as the local survey committee has reached a decision in regard to the school districts under consideration."

Amendment No. 3

On page 1 of said bill, strike out line 21, and insert

"SEC. 3. Section 4904 of said code is amended to read:

4904. Members of local survey committees shall serve without pay, but they shall receive their actual and necessary travel expense incurred in the performance of their duties. *Members of local survey committees appointed to such committees as representatives of governing boards of school districts in accordance with provisions of Section 4901 of this code shall receive their actual and necessary travel expense incurred in the performance of their duties and the travel expense of school district representatives shall be a proper charge on the funds of the districts so represented.*

SEC. 4. Section 4912 of said code is amended to read:

4912. The county superintendent of schools of the county in which the greater part of such area is located shall call a special election in the elementary school district or unified school district, or districts, affected for the purpose of adopting or rejecting the plans and recommendations of the local survey committee. *No election shall be called in any district unless a petition therefor signed by at least 15 percent of the electors of the district is filed with such county superintendent of schools. If in any district no such petition is filed within 60 days after the approval of the plans and recommendations by the state commission, the district shall not be included in the unification or other reorganization.* Such election shall be held between July 1st and December 31st of the year in which the county superintendent of schools was given notice by the state commission under Section 4911 except that if such notice is not received on or before November 1st, the election shall be held between July 1st and December 31st of the following year.

SEC. 5. Section 4912.1 is added to said code, to read :"

Amendment No. 4

On page 2, line 7, of said bill, strike out "SEC. 4.", and insert
"SEC. 6."

Amendment No. 5

On page 2, line 13, of said bill, strike out "SEC. 5.", and insert
"SEC. 7."

Amendment No. 6

On page 2, line 22, of said bill, strike out "SEC. 6.", and insert
"SEC. 8."

Amendment No. 7

On page 2, line 29, of said bill, strike out "SEC. 7.", and insert
"SEC. 9."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 133—An act to add Chapter 11, comprising Sections 9801 to 9809, inclusive, to Division 4 of, Article 9.5, comprising Sections 7205 to 7207, inclusive, to Chapter 15 of Division 3 of, and Sections 5153.5, 7005, 7132, 7231, 7234, 12143, and 12144 to, the Education Code, relating to the education of mentally retarded minors as defined herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "of, Article 9.5, comprising Sections"; and strike out lines 3 and 4, and insert ", and Sections 5153.5, 6933, 7042, 7102.1, 7104, 7105, 12143, and 12144".

Amendment No. 2

On page 2 of said bill, beginning in line 9, strike out "mentally retarded education credential", and insert "credential for the education of mentally retarded children".

Amendment No. 3

On page 2, line 24, of said bill, after "property", insert "by the county superintendent of schools".

Amendment No. 4

On page 2 of said bill, beginning in line 49, strike out "mentally retarded education credential", and insert "credential for the education of mentally retarded children".

Amendment No. 5

On page 3 of said bill, strike out lines 18 and 19; and in line 20, strike out "school fund such sum", and insert

"(b) In addition there shall be provided such amount".

Amendment No. 6

On page 3, line 30, of said bill, strike out "7005", and insert "6933".

Amendment No. 7

On page 3, line 31, of said bill, strike out "7005", and insert "6933".

Amendment No. 8

On page 3, line 37, of said bill, strike out "7132", and insert "7042".

Amendment No. 9

On page 3, line 38, of said bill, strike out "7132", and insert "7042".

Amendment No. 10

On page 3, line 43, of said bill, strike out "2", and insert "4".

Amendment No. 11

On page 3 of said bill, strike out lines 44 to 50, inclusive; and in line 51, strike out "7205", and insert

"Sec. 7. Section 7102.1 is added to said code, to read:
7102.1".

Amendment No. 12

On page 4, line 1, of said bill, strike out "county superintendent of schools", and insert "school district".

Amendment No. 13

On page 4 of said bill, between lines 5 and 6, insert
"Sec. 8. Section 7104 is added to said code, to read:".

Amendment No. 14

On page 4, line 6, of said bill, strike out "7206", and insert "7104".

Amendment No. 15

On page 4 of said bill, between lines 13 and 14, insert
"Sec. 9. Section 7105 is added to said code, to read:".

Amendment No. 16

On page 4, line 14, of said bill, strike out "7207", and insert "7105".

Amendment No. 17

On page 4 of said bill, strike out lines 18 to 27, inclusive.

Amendment No. 18

On page 2 of said bill, between lines 7 and 8, insert

"Sec. 9805.5. No examination as specified in this chapter shall be given if the parent or guardian objects on the ground that such examination is contrary to the religious beliefs of such parent or guardian."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 828—An act to add Section 4052f to the Political Code and Section 25368 to the Government Code, relating to conveyances of county property for hospital purposes, and validating such conveyances hereto made.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 172—An act amending the title and Sections 1, 2, 3, 4, and 5 of, and adding Sections 1.5 and 7 to, an act entitled "An act

authorizing and empowering any city, city and county, county or subdivision of the State of California, to park, and to permit the parking of, vehicles on real property belonging to, or in the possession of, or subject to an easement of, such city, city and county, county or subdivision of the State to lease or grant franchises in real property for such purpose and to construct, and maintain land and buildings for such purpose," approved May 24, 1927, relating to the parking of motor vehicles.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 173—An act amending the title and Sections 1, 4, 6, 44, 46, and 52 of, and adding Sections 2.1, 2.2, 2.3, 2.4, 2.6, and 2.8 to, the Vehicle Parking District Act of 1943, relating to parking districts and providing that such parking districts may be formed in the unincorporated territory, incorporated territory, or may include both.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 246—An act to add Sections 8965 and 8966 to the Health and Safety Code, relative to officers and employees of public cemetery districts and to the powers of said districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1304—An act to amend Section 4041.21 of the Political Code, relating to the jurisdiction and powers of boards of supervisors.

Bill read second time, ordered engrossed, and to third reading.

Chief Assistant Secretary Cleve V. Taylor at the Desk

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m., having arrived, Senate Bill No. 362 was taken up.

Senate Bill No. 362—An act to add Sections 31.5 and 34.5 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3930, 3946, 7966, 8720, 8721, and 8722, and to repeal Section 2838 of, the Elections Code, relating to nominations and party conventions.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Brown, Burns, Collier, Desmond, Deuel, Donnelly, Hatfield, Jespersen, Judah, Mayo, McBride, McCormack, Powers, Salsman, Slater, and Swing—16.

NOES—Senators Breed, Busch, Carter, Crittenden, DeLap, Dillinger, Dilworth, Gordon, Hulse, Kraft, O'Gara, Parkman, Rich, Sutton, Tenney, Ward, Watson, and Weybret—18.

SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1007—An act to amend Section 23005 of the Government Code, relating to the government of counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "23005", and insert "25457 and to renumber Chapter 4, comprising Sections 26800 to 26858, of Part 3, Division 2, Title 3".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert "SECTION 1. Section 25457 of the Government Code is amended to read:

25457. In counties employing a purchasing agent, furnishings, materials, and supplies used in the construction or repair of any [wharf, chute or other shipping facility] of the works mentioned in Section 25450 costing not more than two thousand dollars (\$2,000) may be purchased by the purchasing agent in accordance with Article 7 of this chapter without the formality of obtaining bids, letting contracts, preparing specifications, and doing the other things required by this article for purchases costing more than five hundred dollars (\$500).

SEC. 2. Chapter 4, comprising Sections 26800 to 26858, of Part 3, Division 2, Title 3, of said code is amended and renumbered to read: Chapter [4] 3. County Clerk".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1162—An act to amend Section 9203 of the Public Resources Code, relating to elections in soil conservation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Local Government:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "and".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 704—An act to amend Section 337.9 of the Penal Code, relating to crimes relating to horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "For such pur-"; and strike out lines 9, 10, and 11, and insert "The secretary, chief investigator and such other officers and employees as the board shall specifically designate as enforcement officers, shall have and exercise within the enclosure of a horse racing meeting, all of the powers of police officers solely for the purpose of enforcing the provisions of this chapter, within such enclosure."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 185—An act to amend Sections 2453, 2454, 2600, 2621, 2626, 2627, 2628, 2629, 2633, 2670, 2742, 2840, 2841, 2893, 2897, and the article heading of Article 4 of Chapter 2 of Division 5, and to repeal

Sections 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2622, 2623, 2624, 2625, 2630, 2631, and 2632 of the Elections Code, relating to sponsor certificates and verification deputies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

On page 1, line 12, of the printed bill, after "candidate", strike out the period, and insert "or his authorized agent."

Amendment No. 2

On page 4, line 16, of the printed bill, strike out "25", and insert "35".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 38—An act to amend Sections 1520 and 1521 of, and to add Section 1521.2 to, the Welfare and Institutions Code, relating to property qualifications for aid to needy children.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 962—An act to amend Section 7.2 of, and to add Section 56.2 to, the Unemployment Insurance Act, relating to unemployment insurance and employments excluded therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 7, 1947, strike out "Section 56.2", and insert "Sections 56.2 and 44.4".

Amendment No. 2

On page 1 of said bill, after line 23, insert

"SEC. 3. Section 44.4 is added to said act, to read:

Sec. 44.4. On and after the effective date of this section neither an employee ineligible for benefits under Section 56.2 of this act, nor his employer, is liable for contributions required under Sections 44, 44.2 and 400 of this act with respect to wages paid to such employee."

Amendment No. 3

In line 1 of the title of said bill, strike out "to amend Sec. 7.2 of, and".

Amendment No. 4

On page 1 of the printed bill, strike out lines 1 to 18, inclusive, and insert "SEC. 56.2 is added to said act to read:":

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 862—An act to amend Section 252 of the Unemployment Insurance Act, relating to disability benefits, declaring the urgency thereof to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 252 of", and insert "add Section 7.7 to".

Amendment No. 2

Strike out lines 2 and 3 of the title of said bill, and insert "Act, and to add Section 8989 to the Labor Code, relating to unemployment insurance."

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert:

"SECTION 1. Section 7.7 is added to the Unemployment Insurance Act, to read: Sec. 7.7. The term "employment" does not include service performed in this State by a National of another country under, or pursuant to an agreement between the United States of America and any foreign government, or agency thereof, which provides for the temporary migration of workers to the United States, while such National remains in this State lawfully under and by virtue of such agreement, or any extension thereof.

SEC. 2. Section 8989 is added to the Labor Code, to read:

8989. "Employment" does not include service performed in this State by a National of another country under, or pursuant to an agreement between the United States of America and any foreign government, or agency thereof, which provides for the temporary migration of workers to the United States, while such National remains in this State lawfully under and by virtue of such agreement, or any extension thereof.

SEC. 3. Section 2 of this act becomes operative only if Division 6 of the Labor Code is enacted by the Legislature at this session, and in such case, at the same time that the said Division 6 of the Labor Code takes effect, at which time Section 7.7 of the Unemployment Insurance Act, Chapter 353, Statutes of 1935, is repealed."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 25, inclusive; and on page 2, strike out lines 1 to 13, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 965—An act to amend Sections 1 and 57 of, and to add Section 57.1 to, the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "possible", and insert "recognized".

Amendment No. 2

On page 2, line 15, of said bill, after "employment", insert "in accordance with authorized regulations".

Amendment No. 3

On page 2, lines 17 and 18, of said bill, strike out "for work not less frequently than once every two weeks".

Amendment No. 4

On page 2, line 47, of said bill, strike out "complete employment experience", and insert "employment experience for the preceding 10 years."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 1112—An act to amend Section 41 of the Unemployment Insurance Act, relating to experience rating.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Section 39.5 to the Unemployment Insurance Act, relating to contributions and costs of administration."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 22, and insert

"SECTION 1. Section 39.5 is added to the Unemployment Insurance Act, to read:

Sec. 39.5. (a) If and during such time as the Federal Unemployment Tax Act is amended so that employers are allowed, against the tax imposed by Section 1600 of that act, credits amounting to 100 percentum of such tax on account of contributions paid under this act, then the additional contributions provided by subdivision (b) of this section shall be required to be paid into the Unemployment Fund.

(b) Every employer who on each of some 20 days during a calendar year, each day being in a different calendar week, had in employment for some portion of the day (whether or not at the same moment of time) eight or more individuals shall, subject to subdivision (a) of this section, pay into the Unemployment Fund in addition to the amounts required by other provisions of this act equal to three-tenths of 1 percentum of all wages paid by him in employment subject to this act during such calendar year and included in the measure of the contributions allowed as the credit against the tax imposed by Section 1600 of the Federal Unemployment Tax Act.

(c) If and during such time as the Federal Social Security Act and Federal Unemployment Tax Act are amended so as to remove the requirement that all money withdrawn from the Unemployment Fund be used solely in the payment of unemployment compensation, exclusive of expenses of administration, and for refunds of sums erroneously paid into such fund and refunds paid in accordance with the provisions of Section 1606 (b), then notwithstanding any other provisions of this act to the contrary there is hereby continuously appropriated out of the Unemployment Fund for the purpose of administering this act, including salaries and other expenses of the Department of Employment and the acquisition of necessary real property, all amounts collected under subdivision (b) of this section.

(d) This section shall not become operative unless the Federal Security Administrator certifies that the provisions of this act as amended by this section are in conformity with the provisions of Title III of the Social Security Act and Sections 1601 and 1602 of the Federal Unemployment Tax Act.

(e) If any provision of this section, or the application thereof to any person or circumstance, is held invalid, the remainder of the act and the application of such section, to other persons or circumstances shall not be affected thereby."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 1253—An act to amend Section 2552 of the Business and Professions Code, relating to the qualifications of dispensing opticians.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 956—An act to amend Section 12020 of the Business and Professions Code, relating to false weights and measures.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 957—An act to amend Sections 12200, 12201, 12203, and 12214 of the Business and Professions Code, relating to appointment of sealers of weights and measures.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 958—An act to amend Section 12504 of the Business and Professions Code, relating to testing of weights and measures by request.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 955—An act to amend Sections 20980 and 20981 of the Business and Professions Code, relating to penalties for violation of provisions regulating petroleum.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1523—An act to add Section 5082.1 to the Business and Professions Code, relating to registration as a public accountant, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1271—An act to add Section 5033.5 to the Business and Professions Code, relating to public accountants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 5033.5 to", and insert "amend Section 5032 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 5032 of the Business and Professions Code is amended to read:

5032. Each administrative committee shall make recommendations and forward its report to the board for action on any matter on which it is authorized to act[, except that the findings of the committee with respect to the qualifications of any applicant for registration as a public accountant shall be final]. *Any applicant for registration as a public accountant who is aggrieved by any action taken by an administrative committee with respect to his qualifications may appeal to the board in accordance with rules or regulations prescribed by the board.*"

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 12, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 960—An act to add Section 20709 to, and to amend Sections 20780, 20800, 20826, and 20840 of, the Business and Professions Code, relating to standards for petroleum products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 20840", and insert "20840 and 20955".

Amendment No. 2

On page 2, line 26, of said bill, after "therefor", insert ", Pensky-Martens Closed Tester method".

Amendment No. 3

On page 2, line 42, of said bill, after "therefor", insert ", Pensky-Martens Closed Tester method".

Amendment No. 4

On page 2, line 48, of said bill, after "therefor", insert ", Pensky-Martens Closed Tester method".

Amendment No. 5

On page 3 of said bill, strike out lines 26 to 31, inclusive; and in line 32, strike out "section".

Amendment No. 6

On page 3 of said bill, following line 44, insert

"SEC. 6. Section 20955 of the Agricultural Code is amended to read:

20955. The department, each county sealer and deputy county sealer, each sealer and deputy sealer of each incorporated city, and any person now or hereafter authorized by law to inspect the petroleum products referred to in this chapter, may close and seal outlets and inlets of any unlabeled or mislabeled receptacles, containers, pumps or storage tanks connected thereto, containing any petroleum product which is sold, offered for sale, stored, or delivered as, or which is, any petroleum product specifically mentioned, defined or described in this chapter.

The person so sealing shall post in a conspicuous place on the premises, where such receptable, container, pump or storage tank connected thereto has been sealed, a notice stating that the action of sealing has been taken in accordance with the provisions of this chapter, and giving warning that it is unlawful to break, mutilate or destroy the seal or seals thereof, *or to move the container, or remove the contents therefrom*, under the penalty provided in this chapter."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

Senate Bill No. 959—An act to amend Sections 12604, 12606, 12608, 12609, 12610, and 12612 of the Business and Professions Code, relating to containers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "This section does not apply to", and insert

"The provisions of this section do not apply:

(a) To".

Amendment No. 2

On page 1, line 14, of said bill, strike out "or repacked at an establish-"; and strike out line 15, and insert "packed or repacked on premises other than were originally placed in such containers.

(b) To transparent wrappings, devoid of any words, letters or numerals, used as a means of protecting the commodity, when the weight or count of the contents, or any portion thereof, is accurately determined at time of, and for the immediate purpose of, sale.

(c) To an unlidded container when the weight of the contents, or any portion thereof, can be accurately determined at the time of, and for the immediate purpose of sale, by the seller at the request of the buyer, on a weighing device installed for the purpose on the premises of the seller and sealed in accordance with the provisions of this division.

(d) To an unlidded container when the count of the contents, or any portion thereof, is accurately determined at time of, and for the immediate purpose of, sale."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

Senate Bill No. 1277—An act to amend Sections 4006, 4007, 4009, 4013, 4031, 4032, 4035, 4038, 4039, 4041, 4044, 4092, 4096, 4170, 4173, 4195, 4196, 4201, 4212, 4213, 4214, 4228, and 4256 of, to add Sections 4033, 4033.1, 4033.2, 4033.3, 4048, 4095, 4099, 4218, 4219, 4220, 4221, 4222, 4234, 4235, 4236, and Article 7 comprising Sections 4160 to 4164, inclusive, to Chapter 9 of Division 2 of the Business and Professions Code, and to repeal Sections 4034 and 4095 of said code, and to repeal Article 5 of Chapter 4, Division 10 of the Health and Safety Code, all relating to the practice of pharmacy.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "4096, 4170, 4173,".

Amendment No. 2

In line 4 of the title of said bill, strike out "4099,".

Amendment No. 3

In line 6 of the title of said bill, strike out "4164", and insert "4165".

Amendment No. 4

Between lines 8 and 9 of the title of said bill, insert "Article 8 of Chapter 9, Division 2, and".

Amendment No. 5

On page 2 of said bill, strike out lines 13 to 16, inclusive.

Amendment No. 6

On page 2, line 27, of said bill, after "certificate", insert "or certificate to practice chiroprapy".

Amendment No. 7

On page 2, line 38, of said bill, strike out "the sale of".

Amendment No. 8

On page 3, line 11, of said bill, after "vending", insert "restricted".

Amendment No. 9

On page 3, line 14, of said bill, strike out "pharmacist", and insert "pharmacy".

Amendment No. 10

On page 3, line 19, of said bill, after "any", insert "restricted".

Amendment No. 11

On page 3, line 21, of said bill, strike out "pharmacist", and insert "pharmacy".

Amendment No. 12

On page 3, line 37, of said bill, strike out "or medicines", and insert "medicines or poisons".

Amendment No. 13

On page 4, line 19, of said bill, strike out "The permit shall"; and strike out line 20.

Amendment No. 14

On page 5 of said bill, strike out lines 10 to 25, inclusive.

Amendment No. 15

On page 6, line 21, of said bill, after "name," insert "or contrary to or in violation of any of the provisions of this chapter".

Amendment No. 16

On page 6 of said bill, between lines 32 and 33, insert "4165. No hypodermic needle or hypodermic syringe shall be sold for human use except upon the prescription of a physician and surgeon, dentist or chiroprapist.

The foregoing provisions shall not apply to sales of hypodermic needles or hypodermic syringes for human use for the purpose of administering adrenalin or insulin to persons suffering from diabetes or asthma."

Amendment No. 17

On page 6 of said bill, strike out lines 33 to 46, inclusive, and insert "SEC. 24. Article 8 of Chapter 9, Division 2, of said code is repealed."

Amendment No. 18

On page 10 of said bill, strike out lines 4 and 5; and in line 6, strike out "(g)", and insert "(f)".

Amendment No. 19

On page 10, line 8, of said bill, strike out "(h)", and insert "(g)".

Amendment No. 20

On page 10, line 14, of said bill, strike out "(i)", and insert "(h)".

Amendment No. 21

On page 10, line 15, of said bill, strike out "(j)", and insert "(i)".

Amendment No. 22

On page 10, line 16, of said bill, strike out "(k)", and insert "(j)".

Amendment No. 23

On page 10, line 17, of said bill, strike out "(l)", and insert "(k)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

Senate Bill No. 251—An act to amend Sections 4826, 4827, and 4882 of the Business and Professions Code, and to add Sections 4809.5 and 4829.5 thereto, relating to the practice of veterinary medicine, dentistry and surgery.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4826,".

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 24, inclusive.

Amendment No. 3

On page 2, line 10, of said bill, strike out "4", and insert "3".

Amendment No. 4

On page 2, line 13, of said bill, strike out "5", and insert "4".

Amendment No. 5

In line 1 of the title of said bill, strike out ", 4827,".

Amendment No. 6

On page 2 of said bill, strike out lines 1 to 9, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1068—An act to add Section 2141.10 to the Business and Professions Code, relating to post-mortem examinations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Business and Professions:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out the period, and insert "except that a toxicologist may grind up tissue for the purpose of analysis to assist in the determination of the cause of death."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1059—An act to add Section 2141.5 to the Business and Professions Code, relating to offenses against the chapter on medicine and surgery.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2141.5", and insert "Sections 2013, 2141.5, and 2141.6".

Amendment No. 2

On page 1, line 5, of said bill, after "drugs," insert "X-ray, radium salts and their derivatives,".

Amendment No. 3

On page 1 of said bill, strike out lines 6 and 7, and insert "tions, except as provided in".

Amendment No. 4

On page 1, line 8, of said bill, strike out "Section 2138", and insert "Sections 2138 and 2139".

Amendment No. 5

On page 1 of said bill, after line 10, insert

"Nothing in this section shall apply to nurses, anesthetists, or physicians' office assistants when acting under the direct supervision of a physician and surgeon holding an unrevoked and unsuspended certificate under this chapter; nor to persons holding valid, unrevoked, unsuspended certificates issued by the Board of Dental Examiners as Doctors of Dental Surgery, or Doctors of Dental Science, or Doctors of Dental Medicine, or their assistants when such assistants are acting under their direct supervision; nor to persons holding a valid unrevoked and unsuspended certificate as a chiropodist when such chiropodist is administering a local anesthetic to the tissues of the foot.

SEC. 2. Section 2141.6 is added to said code, to read:

2141.6. Any person who severs or penetrates or attempts to penetrate any of the tissues of any human being except as provided in Sections 2138 and 2139, without at the said time having issued to him an unrevoked and unsuspended certificate as a physician and surgeon under this chapter, is guilty of a misdemeanor. Nothing in this section shall apply to nurses, anesthetists, or physicians' office assistants when acting under the direct supervision of a physician and surgeon holding an unrevoked and unsuspended certificate under this chapter; nor to persons holding valid, unrevoked, unsuspended certificates issued by the Board of Dental Examiners as Doctors of Dental Surgery, or Doctors of Dental Science, or Doctors of Dental Medicine, or their assistants when such assistants are acting under their direct supervision; nor to persons holding a valid unrevoked and unsuspended certificate as a chiropodist when such chiropodist is administering a local anesthetic to the tissues of the foot; nor to a person licensed as a clinical laboratory technologist or a clinical laboratory technician.

SEC. 3. Section 2013 is added to said code, to read:

2013. "Diagnosis" as used in this chapter means any undertaking by any method, device or procedure whatsoever, and whether gratuitous or not, to ascertain or establish any fact concerning the physical or mental condition of a person."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

Senate Bill No. 906—An act to add Section 7032 to Article 2, Chapter 9, Division 3 of the Business and Professions Code, relating to the power of cities to regulate contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

On page 1, line 3, of the printed bill, after "7032.", insert "(a)".

Amendment No. 2

On page 1, line 5, of said bill, strike out "rules and regulations by ordinance", and insert "any ordinance or resolution".

Amendment No. 3

On page 1, lines 6 and 7, of said bill, strike out "faithful performance bonds,".

Amendment No. 4

On page 1, line 7, of said bill, after the period, insert "No local license, examination or fee shall be required for work done on contracts awarded by the State or any department thereof.

(b) This section shall not apply to:

(1) Any public utility, its employees, or contractors or their employees when engaged on work done under contract for a public utility.

(2) Any licensed architect or registered civil engineer."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 344—An act to repeal Chapters 1, 2, 3, 4, 5, and 6 and to renumber Chapters 10 and 11 to be Chapters 13 and 14, respectively, of, and to add Chapters 1 to 10, inclusive, to, Division 4 of the Agricultural Code, relating to milk and milk products and the production, handling, sale, distribution, and processing thereof and of products resembling or imitating them.

Bill read second time, and ordered to third reading.

Senate Bill No. 343—An act to amend the heading of Division 4, to renumber Chapters 10 and 11 of Division 4 to be Chapters 13 and 14, respectively, to repeal Chapters 3 and 8 of Division 6, of the Agricultural Code, and to add Chapters 11 and 12 to Division 4 of said code, relating to milk and dairy products and the marketing thereof.

Bill read second time, and ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2648—An act to add Section 66h to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Tulare, and providing for the appointment of an additional judge and for his compensation.

Bill read second time, and ordered to third reading.

Assembly Bill No. 859—An act to amend Sections 51 and 52 of the Public Utilities Act, defining the powers of the Public Utilities Commission, relating to certain transactions of public utilities.

Bill read second time, and ordered to third reading.

Assembly Bill No. 534—An act to add Section 261c to the Code of Civil Procedure, relating to phonographic reporters for the superior courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 1, line 3, of the printed bill, after "261c.", insert "Notwithstanding the provisions of Section 261b,".

Amendment No. 2

On page 1, line 4, of said bill, strike out "600,000", and insert "900,000".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 849—An act to amend Section 9 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 27, 1947, strike out "to the constitution of the court and".

Amendment No. 2

In line 3 of the title of said bill, after "officials", insert "of the municipal court".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert
"SECTION 1. Section 9.5 is added to the act cited in the title".

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 14, inclusive, and insert
"Sec. 9.5. The officers and attaches of the municipal court in a city, or city and county of the second and one-fourth class shall receive compensation as follows:".

Amendment No. 5

On page 1, line 15, of said bill, strike out "(b)", and insert
"(a)".

Amendment No. 6

On page 1, line 18, of said bill, strike out "(c)", and insert
"(b)".

Amendment No. 7

On page 2, line 11, of said bill, strike out "(d)", and insert
"(c)".

Amendment No. 8

On page 2, line 14, of said bill, strike out "(e)", and insert
"(d)".

Amendment No. 9

On page 2, line 27, of said bill, strike out "(f)", and insert
"(e)".

Amendment No. 10

On page 2, line 30, of said bill, strike out the semicolon, and insert a period.

Amendment No. 11

On page 2 of said bill, between lines 30 and 31, insert
"Any person who has been in the same class for two and one-half years shall receive the maximum salary for that class."

Amendment No. 12

On page 2, line 34, of said bill, after "purpose," strike out "shall", and insert "may fix the compensation of such employee, within the limits hereinbefore set forth for the position to which appointment is made, and may thereafter grant increases in compensation within such limits upon the basis of efficiency and seniority records, all in strict conformity with existing rules and regulations of the city civil service commission. The appointing authority shall further".

Amendment No. 13

On page 2 of said bill, strike out lines 43 to 48, inclusive.

Amendment No. 14

Strike out all of page 3 of said bill.

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 406—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Bill read second time, and ordered to third reading.

Assembly Bill No. 424—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to the eligibility of institution inmates for aid to the aged.

Bill read second time.

Motion to Amend

Senator Kraft moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "and", and insert "aid".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 1328—An act to amend Sections 39, 41, 53, 54, and 57 and to add Section 39.1 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 115—An act to repeal Sections 205 and 206 of, amend Sections 403, 451, 455, and 460 of, and to add Sections 205, 206, 309, and 455.7 to, the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "403", and insert "404".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "206".

Amendment No. 3

In line 3 of the title of the printed bill, before "and", insert "403.1".

Amendment No. 4

On page 1, line 16, of the printed bill, before "average", insert "annual".

Amendment No. 5

On page 1, line 16, of the printed bill, strike out "received".

Amendment No. 6

On page 2, line 20, of the printed bill, strike out "each", and insert "any".

Amendment No. 7

On page 2 of the printed bill, strike out lines 27 to 52, inclusive; and on page 3, strike out lines 1 to 10, inclusive, and insert

"SEC. 2. Section 403.1 is added to the Unemployment Insurance Act, to read:

Sec. 403.1. In addition to the amount of worker contributions collected under this act during the calendar years 1944 and 1945 and heretofore deposited or invested in the obligations of the Unemployment Trust Fund of the United States of America established by Subchapter (c) of Chapter 9, United States Internal Revenue Code, an amount equal to that sum multiplied by the annual average rate of interest received on the Unemployment Trust Fund for periods subsequent to the effective date of Article 10 of this act may also be requisitioned from the Unemployment Trust Fund and deposited in the Disability Fund to augment the amounts available for expenditure for the same purposes, except that no portion thereof shall be used for expenses of administration; provided, however, that in no event shall the total amount requisitioned from the Unemployment Trust Fund for the purposes of this article, including interest or other earnings, be in excess of the amount of worker contributions collected under this act and deposited or invested in the obligations of the Unemployment Trust Fund as provided by Public Law 719 of the Seventy-ninth Congress."

Amendment No. 8

On page 3, line 21, of the printed bill, strike out "such", at the end of the line; and strike out lines 22 to 24, inclusive, and insert "as to individuals in partial or other forms of short time employment and as to employees not in employment the plan has been made available to such of those individuals or employees as the commission shall prescribe by authorized regulations."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 9

On page 3 of the printed bill, between lines 10 and 11, insert

"SEC. 3. Section 404 of the Unemployment Insurance Act is amended to read:

Sec. 404. Whenever the commission believes that a change in contributions rate or disability benefit amounts [shall] may become necessary to protect the solvency of the Disability Fund, it shall at once inform the Governor and the Legislature thereof and make recommendations accordingly.

In such case the Governor may declare an emergency and authorize the commission to announce a modified scale of benefits or increased waiting period, or other changes in rules and regulations regarding the eligibility for payment of benefits which the commission may deem necessary to assure the solvency of the Disability Fund; such modified regulations to be in effect until the Governor declares the emergency at an end or until further action is taken by the Legislature."

Amendment No. 10

On page 3, line 11, of the printed bill, strike out "3", and insert "4".

Amendment No. 11

On page 3, line 48, of the printed bill, strike out the first "4", and insert "5".

Amendment No. 12

On page 4, line 6, of the printed bill, strike out "such".

Amendment No. 13

On page 4, line 7, of the printed bill, strike out "as may be necessary".

Amendment No. 14

On page 4, line 8, of the printed bill, strike out "applicable", and insert "allow benefits to".

Amendment No. 15

On page 4, line 25, of the printed bill, strike out the first "5", and insert "6".

Amendment No. 16

On page 4, line 27, of the printed bill, strike out "Benefits", and insert "The proportionate share as determined by authorized regulations of benefits".

Amendment No. 17

On page 4, line 29, of the printed bill, after "was", insert "wholly or partially".

Amendment No. 18

On page 4, line 37, of the printed bill, strike out the first "6", and insert "7".

Amendment No. 19

On page 5, line 5, of the printed bill, strike out "7", and insert "8".

Amendment No. 20

On page 5, line 6, of the printed bill, strike out "8", and insert "9".

Amendment No. 21

On page 5, lines 8 and 9, of the printed bill, strike out "with respect to any week in", and insert "equal to one-seventh (1/7) of his weekly benefit amount for each full day during".

Amendment No. 22

On page 5, line 15, of the printed bill, after "disability", insert "with respect to which no benefits are payable".

Amendment No. 23

On page 5 of the printed bill, strike out lines 27 to 32, inclusive, and insert "SEC. 10. Sections 8 and 9 of this act shall become operative January 1, 1948."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 1067—An act to amend Section 2376.5 of the Business and Professions Code, relating to the restoration of certificates to practice medicine.

Bill read third time.

Motion to Amend

Senator Kraft moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 8, of the printed bill, strike out "five", and insert "two".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 547—An act to amend Section 19433 of the Business and Professions Code, relating to the salary of the Secretary of the California Horse Racing Board.

Motion to Re-Refer Senate Bill No. 547

Senator Tenney moved that Senate Bill No. 547 be re-referred to Committee on Governmental Efficiency.

Motion carried.

Senate Bill No. 548—An act to amend Section 19533 and to repeal Sections 19535 and 19536 of the Business and Professions Code, relating to licenses to conduct horse racing meetings.

Bill read third time.

Motion to Amend

Senator Hulse moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 16, 1947, after "fair", insert "or district agricultural association".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 178—An act to amend Sections 80 and 92 of the Agricultural Code, relating to agricultural districts and district agricultural fairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 680—An act to amend Section 813 of the Agricultural Code, relating to cauliflower.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Kraft, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 681—An act to amend Section 813.5 of the Agricultural Code, relating to celery.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 682—An act to add Section 814.5 to the Agricultural Code, relating to Italian sprouting broccoli.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 683—An act to amend Sections 812, 812.2, 812.3, 812.4, 812.5, and 812.6 of the Agricultural Code, relating to carrots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Donnelly, Gordon, Hulse, Jespersen, Judah, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1240—An act to add Section 829.7 to the Agricultural Code, relating to consumer packages for vegetables and other products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Dilworth, Donnelly, Hulse, Jespersen, Judah, McBride, O'Gara, Parkman, Powers, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 751—An act to amend Sections 6451, 6452, 6482, 6487, 6513, 6701, 6902, and 6907 of the Revenue and Taxation Code, relating to returns and payments of sales and use taxes and security for payment of sales and use taxes, and to provide that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Hulse, Jespersen, Judah, Kraft, McBride, O'Gara, Parkman, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1456—An act to add Section 254.2 to the Revenue and Taxation Code, relating to property taxation.

Bill read third time.

Motion to Amend

Senator Swing moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "wild life", and insert "migratory water fowl".

Amendment No. 2

On page 1, line 5, of said bill, strike out "game", and insert "migratory water fowl".

Amendment No. 3

On page 1, line 5, of said bill, before "public", insert "migratory water fowl".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 194—An act to amend Section 86 of the Agricultural Code, relating to the powers of district agricultural associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, McBride, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 784—An act to repeal Article 10 of Chapter 2 of Division 10 of the Education Code and to add Article 10 to Chapter 2 of Division 10 of said code, relating to providing of housing and other facilities for students, faculty members, and employees of the state colleges, declaring the urgency thereof, to take effect immediately.

Motion to Re-Refer Senate Bill No. 784

Senator Salsman moved that Senate Bill No. 784 be re-referred to Committee on Finance.

Motion carried.

Senate Bill No. 738—An act to amend Section 4352 of the Public Resources Code, relating to state nurseries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, McBride, O'Gara, Parkman, Powers, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 254—An act to amend Sections 3 and 5 of an act entitled "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," approved April 23, 1945, relating to maximum sustained productivity of the forest lands of California.

Bill read third time.

Motion to Amend

Senator Carter moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 18, 1947, before line 1, insert

"SECTION 1. Section 3 of the act cited in the title hereof is amended to read:".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 135—An act to amend Section 19514 of the Business and Professions Code, relating to employees in the pari-mutuel departments of race tracks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Kraft,

Mayo, McBride, O'Gara, Powers, Salsman, Swing, Tenney, Ward, Watson, and Weybret—26.

NOES—Senator Rich—1.

Bill ordered transmitted to the Assembly.

Senate Bill No. 315—An act to amend the heading of Chapter 1 of Division 4 and Sections 3300 and 3301 of the Health and Safety Code, to amend and renumber Section 3300a thereof to be Section 3300.5, to repeal Sections 3100 and 3101 and Chapter 3 of Division 4 thereof, comprising Sections 3325 and 3326, to add Sections 3301.5 and 3301.6 thereto, and to amend and renumber the heading of Chapter 4 of Division 4 thereof to be Chapter 3 thereof, relating to state grants-in-aid to counties, cities and counties, and cities for the treatment and care of persons suffering from tuberculosis, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote :

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—30.

NOES—None.

The roll was called, and the bill passed by the following vote :

AYES—Senators Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, McBride, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 609—An act to add Section 108 to the Water Code, relating to irrigation and water districts.

Bill read third time.

The roll was called, and the bill refused passage by the following vote :

AYES—Senators Burns, Crittenden, Donnelly, Hatfield, Hulse, Jespersen, Parkman, Powers, Sutton, Swing, Ward, Watson, and Weybret—13.

NOES—Senators Breed, Brown, Busch, Carter, Collier, DeLap, Deuel, Dillinger, Dilworth, Judah, Kraft, Mayo, McCormack, O'Gara, Rich, Salsman, and Slater—17.

Motion to Reconsider

Senator Donnelly moved to reconsider the vote whereby Senate Bill No. 609 was refused passage.

Postponement of Reconsideration

On motion of Senator Donnelly, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 609 was refused passage, was continued until the next legislative day.

Senate Bill No. 13—An act to amend Section 10452 of, and to add Section 10456 to, the Revenue and Taxation Code, relating to the motor vehicle transportation license tax; and making an appropriation for public streets and highways.

Bill read third time.

Motion to Amend

Senator McCormack moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on April 17, 1947, strike out "; and making an"; and strike out lines 4 and 5 of the title, and insert a period.

Amendment No. 2

On page 1 of said bill, strike out lines 14 to 20, inclusive, and insert "Sec. 3. The provisions of this act shall become operative on the first day of October, 1947."

Amendments read, and adopted.

Bill ordered printed.

Motion to Re-Refer Senate Bill No. 13

Senator McCormack moved that Senate Bill No. 13 be re-referred to Committee on Revenue and Taxation.

Motion carried.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Rich moved that Senate Bill No. 1177 be taken from the inactive file, and placed on the second reading file.

Motion carried.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Powers:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 3694 to the Political Code, relating to the powers and duties of the members of the State Board of Equalization, declaring the urgency of this act, to take effect immediately.

Respectfully submitted.

SENATOR POWERS

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 21, 1947

The Committee on Rules recommends that permission be granted to introduce the bill, as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, and Weybret—31.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 1560: By Senator Powers—An act to add Section 3694 to the Political Code, relating to the powers and duties of the mem-

bers of the State Board of Equalization, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Senate Joint Resolution No. 19: By Senator Quinn—Relative to the creation of an additional cemetery in the Los Angeles area and the enlargement of existing national cemeteries in California.

Referred to Committee on Military and Veterans Affairs.

Senate Concurrent Resolution No. 35: By Senator Jespersen—Relative to approving certain amendments to the charter of the City of San Luis Obispo, a municipal corporation in the County of San Luis Obispo, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the seventh day of April, 1947.

Request for Unanimous Consent

Senator Jespersen asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 35, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 35

Senate Concurrent Resolution No. 35—Relative to approving certain amendments to the charter of the City of San Luis Obispo, a municipal corporation in the County of San Luis Obispo, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the seventh day of April, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 640

Senator McBride moved that Senate Bill No. 640 be withdrawn from Committee on Financial Institutions, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 640—An act to provide for the regulation of insurance rates.

Bill read second time.

Motion to Amend

Senator McBride moved the adoption of the following amendment:

Amendment No. 1

Strike out the title, the enacting clause, and the entire text appearing on pages 1 to 10, inclusive, of the printed bill, and insert

"An act relating to insurance, adding Article 19 to Chapter 1, Part 2, Division 1 of the Insurance Code, comprising Sections 1120 to 1139.5, inclusive, amending Section 1282 of said code, regulating the making and use of rates, and granting insurers

and rating and other organizations formed to serve insurers in connection with the making or use of rates certain immunities from prosecution under other laws which do not specifically relate to insurance.

The people of the State of California do enact as follows:

SECTION 1. Article 19 is added to Chapter 1, Part 2, Division 1 of the Insurance Code, to read:

Article 19. Rates and Rating and Other Organizations

1120. The purpose of this article is to promote the public welfare by regulating insurance rates as herein provided to the end that they shall not be excessive, inadequate or unfairly discriminatory, to authorize the existence and operation of qualified rating organizations and advisory organizations and require that the rates and rating manuals of such rating organizations be generally available to all admitted insurers, and to authorize cooperation between insurers in rate making and other related matters.

It is the express intent of this article to permit and encourage competition between insurers on a sound financial basis and nothing in this act is intended to give the Commissioner of Insurance the power to fix and determine a rate level by classification or otherwise as adequate for all insurers, or to directly or indirectly fix minimum rates as applicable to all insurers.

1121. As used in this article:

(a) "Rate" means the unit charge by which the measure of exposure or the amount of insurance specified in a policy of insurance or covered thereunder is multiplied to determine the premium or the elements and factors forming the basis for such determination, or either of them. If the premium is not based upon a rate, "rate" means the premium.

(b) "Premium" means the consideration paid or to be paid to an insurer for insurance coverage.

(c) "Rating system":

As applied to casualty insurance, means every system or manual of classifications, rules and rates, every rating plan, and any modification of any of the foregoing for the determination of rates applicable to such insurance. Every such rating system shall include the character and extent of the coverage contemplated.

As applied to fire insurance, means every schedule, class rate or rating plan, by whatever name described, used in determining or ascertaining a rate for such insurance and includes tariffs, general basis schedules embodying basic rates, charges, credits, terms, conditions, permits, standards, rules of procedure for operation relating to the foregoing and other data necessary to the computation and application of rates.

(d) "Rate making" or "making of rates" is the development of rates or rating systems for application to individual risks or the determination of class rates or the elements or factors of a rating plan or schedule.

(e) "Rating organization" means every corporation, unincorporated association, partnership, or individual, other than an admitted insurer, whether located within or outside this State, which has as its or his object or purpose the making of rates or rating systems. No insurer acting alone and not in concert with others shall be deemed to be a rating organization.

(f) "Advisory organization" means every corporation, unincorporated association, partnership or individual, other than an admitted insurer, whether located within or outside this State, which prepares policy forms, makes underwriting rules, surveys or inspections incident to but not including the making of rates or rating systems, or which collects and furnishes to admitted insurers or rating organizations loss or expense statistics or other statistical information and data and acts in an advisory as distinguished from a rate-making capacity. No duly authorized attorney at law acting in the usual course of his profession shall be deemed to be an advisory organization.

(g) "Member," unless otherwise apparent from the context, means an insurer who participates in or is entitled to participate in the management of a rating, advisory or other organization.

(h) "Subscriber," unless otherwise apparent from the context, means an insurer which is furnished at its request, (1) rating services by a rating organization of which it is not a member, or (2) advisory services by an advisory organization of which it is not a member.

(i) "Casualty insurance" means all forms of insurance to which the provisions of this article are applicable and which are included within Sections 105, 107, 108, 110, 112, 114, 115, and, when written by insurers not admitted to transact fire or marine insurance, Sections 111, 116, and 120.

(j) "Fire insurance" means all forms of insurance to which the provisions of this article are applicable and which are included within Sections 102, 103, 114, 115, and, when written by insurers admitted to transact fire or marine insurance, Sections 111, 116, and 120.

(k) Wilful or wilfully, in relation to an act or omission which constitutes a violation of this article, means with actual knowledge or belief that such act or omission constitutes such violation and with specific intent to commit such violation.

1122. The provisions of this article shall apply to all insurance on risks or on operations in this State, except:

(a) Reinsurance, other than joint reinsurance to the extent stated in Section 1131.

(b) Life insurance.
(c) Insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured under marine, as distinguished from inland marine, insurance policies. As used herein, inland marine insurance shall be deemed to include insurance now or hereafter defined by statute, or by interpretation thereof, or if not so defined or interpreted, by ruling of the commissioner or as established by general custom of the business, as inland marine insurance.

(d) Title insurance.
(e) Disability insurance.
(f) Workmen's compensation and employer's liability insurance incidental thereto and written in connection therewith.

(g) Credit insurance.
(h) Mortgage insurance.
(i) Aircraft insurance, including insurance against loss arising out of the ownership, operation, maintenance or use of aircraft and resulting from liability for damage to property or property interests of others or from liability for accident or physical injury, fatal or nonfatal, to any natural person.

1123. The following standards shall apply to the making and the use of rates pertaining to all classes of insurance to which the provisions of this article are applicable:

(1) Rates shall not be excessive or inadequate nor shall they be unfairly discriminatory.

No rate shall be held to be excessive unless (a) such rate is unreasonably high for the insurance provided and (b) a reasonable degree of competition does not exist in the area with respect to the classification to which such rate is applicable.

No rate shall be held to be inadequate unless (a) such rate is unreasonably low for the insurance provided and (b) the continued use of such rate will endanger the solvency of the insurer so using same, or (c) such rate has the effect of destroying or unduly restraining competition.

(2) Consideration shall be given to the extent applicable, to past and prospective loss experience within and outside this State, to conflagration and catastrophe hazards, to a reasonable margin for underwriting profit and contingencies, to past and prospective expenses both country-wide and those specially applicable to this State, and to all other factors, including judgment factors, deemed relevant within and outside this State; and in the case of fire insurance rates, consideration may be given to the experience of the fire insurance business during the most recent five-year period for which such experience is available.

Consideration may also be given in the making and use of rates to dividends, savings, or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers.

(3) The systems of expense provisions included in the rates for use by any insurer or group of insurers may differ from those of other insurers or groups of insurers to reflect the operating methods of any such insurer or group with respect to any kind of insurance, or with respect to any subdivision or combination thereof.

(4) Risks may be grouped by classifications for the establishment of rates and minimum premiums. Classification rates may be modified to produce rates for individual risks in accordance with rating plans which establish standards for measuring variations in hazards or expense provisions, or both. Such standards may measure any difference among risks that have a probable effect upon losses or expenses. Classifications or modifications of classifications of risks may be established based upon size, expense, management, individual experience, location or dispersion of hazard, or any other reasonable considerations. Such classifications and modifications shall apply to all risks under the same or substantially the same circumstances or conditions.

1124. With respect to any matters pertaining to the making of rates or rating systems, the preparation or making of insurance policy or bond forms, underwriting rules, surveys, inspections and investigations, the furnishing of loss or expense statistics or other information and data or carrying on of research, two or more admitted insurers having a common ownership or operating in this State under common management or control, and, to the extent that such matters relate to co-surety bonds, two or more admitted insurers executing such bonds, are hereby authorized to act in concert between or among themselves the same as if they constituted a single insurer.

1125. Rates and rating systems made or adopted by licensed rating organizations and conforming to the requirements and standards of this article applicable thereto and any modifications thereof and amendments thereto which also conform to such requirements, may be used subject to such requirements by any admitted insurer.

1126. Except as provided in Sections 1124 and 1128, insurers shall not agree with each other or with rating organizations or others to adhere to rates, rating systems, underwriting rules or policy or bond forms. The fact, however, that two or more admitted insurers use, either consistently or intermittently, the rates and rating systems made or adopted by a rating organization, or the underwriting rules or policy or bond forms upon which such rates and rating systems are predicated, shall not be sufficient in itself to support a finding that an agreement to so adhere exists, and may

be used only for the purpose of supplementing or explaining direct evidence of the existence of any such agreement.

1127. Licensed rating organizations and admitted insurers are authorized to exchange information and experience data with rating organizations and insurers in this and other states and may consult with them with respect to rate-making and the application of rating systems.

1128. Except with regard to types of insurance to which the provisions of Section 11620 apply, agreements may be made among admitted insurers with respect to the equitable apportionment among them of insurance which may be afforded applicants who are in good faith entitled to but who are unable to procure such insurance through ordinary methods, and with respect to the use of reasonable rate modifications for such insurance, such agreements to be subject to the approval of the commissioner.

All such agreements shall be submitted in writing to the commissioner for his consideration and approval, together with such information as he may reasonably require. The commissioner shall approve only such agreements as are found by him to contemplate (a) the use of rates which meet the standards prescribed by this article and (b) activities and practices that are not unfair, unreasonable or otherwise inconsistent with the provisions of this article.

At any time after such agreements are in effect the commissioner may review the practices and activities of the adherents to such agreements and if after a hearing upon not less than 10 days' notice to such adherents he finds that any such practice or activity is unfair or unreasonable, or is otherwise inconsistent with the provisions of this article he may issue a written order to the parties to any such agreement specifying in what respects such practice or activity is unfair or unreasonable or otherwise inconsistent with the provisions of this article and requiring the discontinuance of such activity or practice. For good cause, and after hearing upon not less than 10 days' notice to the adherents thereto, the commissioner may revoke approval of any such agreement.

1129. Upon compliance with the provisions of this article applicable thereto, any group, association or other organization of admitted insurers engaged in joint underwriting or joint reinsurance or rating organization or advisory organization may conduct operations in this State. As respects risks or operations in this State, no insurer shall be a member or subscriber of any such group, association or other organization of admitted insurers engaged in joint underwriting or joint reinsurance or rating organization or advisory organization that has not complied with the provisions of this article applicable to it.

1130. No rating organization shall conduct its operations in this State without first filing with the commissioner a written application for, and securing, a license to act as a rating organization. Every such rating organization shall file with its application (1) a copy of its constitution, its articles of incorporation, agreement or association, and of its by-laws, rules and regulations governing the conduct of its business all duly certified by the custodian of the originals thereof, (2) a list of its members and subscribers, (3) the name and address of a resident of this State upon whom notices or orders of the commissioner or process affecting such rating organization may be served, and (4) a statement of its qualifications as a rating organization.

The fee for filing an application for license as a rating organization is twenty-five dollars (\$25), payable in advance to the commissioner.

1130.1. To obtain and retain a license, a rating organization shall provide satisfactory evidence to the commissioner that it will:

(1) Permit any admitted insurer to obtain and use at its option such rating organization's rates and rating manuals at a reasonable cost without discrimination and without any requirement to become a member or subscriber.

(2) Permit any admitted insurer to become a member of or a subscriber to such rating organization or withdraw therefrom.

(3) Neither have nor adopt any rule or exact any agreement, the effect of which would be to require any member or subscriber as a condition to membership or subscription, to adhere to its rates, rating systems, or the underwriting rules, policy or bond forms upon which they are predicated.

(4) Neither adopt any rule nor exact any agreement the effect of which would be to prohibit or regulate the payment of dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policy holders, members or subscribers.

(5) Neither practice nor sanction any plan or act of boycott, coercion or intimidation.

(6) Neither enter into nor sanction any contract or act by which any person is restrained from lawfully engaging in the insurance business.

(7) Submit to examination as prescribed by Section 1132.1 of this article.

(8) Notify the commissioner promptly of every change in its constitution, its articles of incorporation, agreement or association, and of its by-laws, rules and regulations governing the conduct of its business; its list of members and subscribers; and the name and address of the resident of this State designated by it upon whom notices or orders of the commissioner or process affecting such organization may be served.

(9) Make available to the commissioner at all times access to all experience data, statistics, reports, results of surveys and investigations gathered or obtained by it, and all information of every kind and description considered by it in connection with the making of rates or rating systems, or adopted or recommended by it or considered in connection with underwriting rules, policy or bond forms adopted, approved or recommended by it.

(10) Keep reasonable records of the experience or other information gathered, collected, developed or used by it in connection with the rates, rating plans, rating systems or underwriting rules adopted or recommended by it. Such records shall be maintained in an office within this State or shall be made available for inspection within this State by the commissioner at any time upon reasonable notice.

1130.2. The commissioner shall examine each application for license to act as a rating organization and the documents filed therewith and may make such further investigation of the applicant, its affairs and its proposed plan of business, as he deems desirable.

The commissioner shall issue the license applied for within 60 days of its filing with him if from such examination and investigation he is satisfied that:

(a) The business reputation of the applicant and its officers is good.

(b) The facilities of the applicant are adequate to enable it to furnish the services it proposes to furnish.

(c) The applicant and its proposed plan of operation conform to the requirements of this article.

Otherwise, but only after hearing upon notice, the commissioner shall in writing deny the application and notify the applicant of his decision and his reasons therefor.

The commissioner may grant an application in part only and issue a license to act as a rating organization for one or more of the classes of insurance or subdivisions thereof or class of risk or a part or combination thereof as are specified in the application if the applicant qualifies for only a portion of the classes applied for.

Licenses issued pursuant to this section shall remain in effect until revoked as provided in this article.

1130.3. If after hearing upon not less than 10 days notice, the commissioner finds any rating organization to have wilfully engaged in any fraudulent or dishonest act or practices, he may suspend or revoke the license of such organization in addition to any other penalty provided in this article.

1130.4. No advisory organization shall conduct its operations in this State unless and until it has filed with the commissioner (1) a copy of its constitution, articles of incorporation, agreement or association, and of its by-laws, or rules and regulations governing its activities, all duly certified by the custodian of the originals thereof, (2) a list of its members and subscribers, (3) the name and address of a resident of this State upon whom notices or orders of the commissioner or process issued at his direction may be served, and (4) an agreement that the commissioner may examine such advisory organization in accordance with the provisions of Section 1132.1.

Every such advisory organization shall notify the commissioner promptly of every change in its constitution, its articles of incorporation, agreement or association, and of its by-laws, rules and regulations governing the conduct of its business; its list of members and subscribers; and the name and address of the resident of this State designated by it upon whom notices or orders of the commissioner or process affecting such organization may be served.

No such advisory organization shall engage in any unfair or unreasonable practice with respect to such activities.

1131. Every group, association or other organization of insurers which engage in joint underwriting or joint reinsurance through such group, association or organization or by standing agreement among the members thereof shall file with the commissioner (1) a copy of its constitution, its articles of incorporation, agreement or association, and of its by-laws, rules and regulations governing its activities, all duly certified by the custodian of the originals thereof, (2) a list of its members, (3) the name and address of a resident of this State upon whom notices or orders of the commissioner or process issued at his direction may be served, and (4) an agreement that the commissioner may examine such group, association or organization in accordance with the provisions of Section 1132.1.

Every such group, association or other organization shall notify the commissioner promptly of every change in its constitution, its articles of incorporation, agreement or association, and of its by-laws, rules and regulations governing the conduct of its business; its list of members; and the name and address of the resident of this State designated by it upon whom notices or orders of the commissioner or process affecting such group, association or organization may be served.

No such group, association or organization shall engage in any unfair or unreasonable practice with respect to such activities.

1132. Every insurer, rating organization or advisory organization or group, association or other organization of insurers which engage in joint underwriting or joint reinsurance shall maintain reasonable records of its experience or the experience of its members and of the data, statistics or information collected or used by it in connection with the rates, rating plans, rating systems, underwriting rules, policies or

bond forms, surveys or inspections made, adopted or used by it so that such information will be available at all reasonable times to enable the commissioner to determine whether such organization, insurer, group or association, and, in the case of an insurer or rating organization, every rate, rating plan and rating system made or used by it, complies with the provisions of this article applicable to it. The maintenance of such records in the office of a licensed rating organization of which an insurer is a member or subscriber will be sufficient compliance with the terms of this subdivision for any insurer maintaining membership or subscribership in such organization, to the extent that the insurer adopts and uses the rates, rating plans, rating systems or underwriting rules of such organization. Such records shall be maintained in an office within this State or shall be made available for examination or inspection within this State by the commissioner at any time upon reasonable notice.

1132.1. The commissioner shall, at least once every two years, and may as often as may be reasonable and necessary, make or cause to be made an examination of each licensed rating organization, and he may, as often as may be reasonable and necessary, make or cause to be made an examination of any advisory organization or group, association or other organization of insurers which engage in joint underwriting or joint reinsurance. The reasonable costs of any such examination shall be paid in advance by the rating organization, advisory organization, group, association or other organization of insurer examined. The officers, managers, agents and employees of any such rating organization, advisory organization, group, association or other organization of insurers may be examined at any time under oath and shall exhibit all books, records, accounts, documents or agreements governing its method of operation, together with all data, statistics and information of every kind and character collected or considered by the organization, group or association in the conduct of the operations to which such examination relates.

In lieu of any such examination the commissioner may accept the report of an examination made by the insurance supervisory official of another state.

In examining any organization, group or association pursuant to this section the commissioner shall ascertain whether such organization, group or association, and, in the case of a rating organization, any rate or rating system made or used by it, complies with the requirements and standards of this article applicable to it.

1132.2. As often as may be reasonable and necessary, the commissioner shall make or cause to be made an examination of every admitted insurer transacting any class of insurance to which the provisions of this article are applicable to ascertain whether such insurer and every rate and rating system used by it for every such class of insurance complies with the requirements and standards of this article applicable to it. The reasonable costs of any such examination shall be paid in advance by the insurer examined.

1132.3. (a) If after examination of an insurer, rating organization, advisory organization, or group, association or other organization of insurers which engage in joint underwriting or joint reinsurance, or upon the basis of other information, the commissioner has good cause to believe that such insurer, organization, group or association, or any rate or rating system made or used by any such insurer or rating organization, does not comply with the requirements and standards of this article applicable to it, he shall, unless he has good cause to believe such noncompliance is wilful, give notice in writing to such insurer, organization, group or association stating therein in what manner and to what extent he believes such noncompliance to exist and specifying therein a reasonable time, not less than 10 days thereafter, in which such noncompliance may be corrected.

(b) If the commissioner has good cause to believe such noncompliance to be wilful, or if within the period specified by him in the notice required by paragraph (a) of this section the insurer, organization, group or association does not make such change as may be necessary to correct the noncompliance specified by him in such notice, or establish to his satisfaction that such noncompliance does not exist, then the commissioner may hold a public hearing in connection therewith upon not less than 10 days' written notice to such insurer, organization, group or association specifying the matters to be considered at such hearing. Such notice and hearing shall not include any additional subjects not specified in the notice required by paragraph (a) of this section.

1132.4. Any person aggrieved by any rate charged, rating system, or underwriting rule followed or adopted by an insurer or rating organization, may file written complaint with the commissioner, specifying the grounds relied upon, together with a written request for a hearing thereon. If the commissioner has information as a result of an examination or hearing concerning a similar complaint, or if he believes probable cause for the complaint does not exist or that the complaint is not made in good faith, he may in his discretion deny the request for a hearing. Otherwise, he shall hold a hearing upon not less than 10 days' written notice to the complainant and to the insurer or rating organization against whom the complaint has been made. A copy of the complaint shall be served on the insurer or rating organization complained of at least 10 days prior to the hearing thereon. Such hearing and notice shall not include any matters not set out in the complaint.

1132.5. If after a hearing pursuant to Section 1132.3 or Section 1132.4 the commissioner finds:

1. That an insurer, rating organization, advisory organization, or group, association or other organization of insurers which engage in joint underwriting or joint reinsurance, is in violation of the provisions of this article applicable to it, he may issue an order to such insurer, organization, group or association specifying in what respects such violation exists and requiring compliance within a reasonable time thereafter.

2. That any rate or rating system violates the provisions of this article applicable to it, he may issue an order to the insurer or rating organization which has been the subject of the hearing specifying in what respects such violation exists and stating when, within a reasonable period of time, the further use of such rate or rating system by such insurer or rating organization in contracts of insurance made thereafter shall be prohibited.

3. That the violation of any of the provisions of this article applicable to it by any insurer or rating organization which has been the subject of hearing was wilful, he may suspend or revoke the certificate of authority of such insurer or the license of such rating organization.

1132.6. In addition to other penalties provided in this article or in other provisions of this code, the commissioner may suspend or revoke, in whole or in part, the certificate of authority and license, respectively, of any insurer or rating organization which fails to comply within the time limited by such order or any extension thereof which the commissioner may grant, with an order of the commissioner lawfully made by him pursuant to Section 1132.5.

1133. No person, insurer or organization shall wilfully withhold information from, or knowingly give false or misleading information to, the commissioner or to any statistical agency, rating organization, advisory organization, insurer or group, association or other organization of insurers, which will affect the rates, rating systems or premiums for the classes of insurance to which the provisions of this article are applicable.

1133.1. (a) Any person, insurer, organization, group or association who fails to comply with a final order of the commissioner under this article shall be liable to the State in an amount not exceeding fifty dollars (\$50) but if such violation be wilful he or it shall be liable to the State in an amount not exceeding five hundred dollars (\$500) for such violation. The commissioner shall collect the amount so payable and may bring an action in the name of the people of the State of California to enforce collection. Such penalties may be in addition to any other penalties provided by law.

(b) A wilful violation of the provisions of this article by any person is a misdemeanor.

1134. Except as otherwise provided in this act, all proceedings in connection with the denial, suspension or revocation of a license or certificate of authority under this act shall be conducted in accordance with the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the commissioner shall have all the powers granted to him therein.

1135. Any finding, determination, rule, ruling or order made by the commissioner under this act shall be subject to review by the courts of the State and proceedings on review shall be in accordance with the provisions of the Code of Civil Procedure. In such proceedings on review, the court is authorized and directed to exercise its independent judgment on the evidence on the record before it and unless the weight of the evidence supports the findings, determination, rule, ruling or order of the commissioner, the same shall be annulled. If any act or order of the commissioner be submitted for judicial review, it shall become inoperative for a period of 30 days after the petition for review shall have been filed with the court unless said act or order of the commissioner is stayed by the court for a longer period.

1136. Nothing in this article shall be construed to prohibit or regulate the payment of dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers. A plan for the payment of dividends, savings or unabsorbed premium deposits allowed or returned by insurer to their policyholders, members or subscribers shall not be deemed a rating plan or system.

1137. Nothing in this article shall be construed as permitting the commissioner to require an insurer, rating organization or advisory organization to file with him its rates, rating plans, rating system, or underwriting rules except in connection with a hearing as provided in Sections 1132.3 and 1132.4 of this act.

1138. Nothing in this article shall abridge or restrict the freedom of contract of insurers, agents, or brokers with reference to the amount of commissions or fees to be paid to such agents or brokers by insurers, and such payments, when otherwise lawful, are expressly authorized with respect to all classes of insurance notwithstanding the provisions of Section 1122.

1138.5. No act done, action taken or agreement made pursuant to the authority conferred by this article and conforming to the requirements thereof shall constitute a violation of or grounds for prosecution under any other law of this State which does not specifically relate to insurance.

1139. Except as provided in this article, no other law relating to insurance and no other provision of the insurance code heretofore or hereafter enacted shall apply to or shall be construed as supplementing or modifying the provisions of this article unless such other law or other provision expressly so provides and specifically refers to the sections of this article which it intends to supplement or modify.

1139.5. The provisions of the following sections of this code shall be applicable to the administration, enforcement and interpretation of this article:

Sections 1 to 41, both inclusive, 100 to 121, both inclusive, 620, 621, 700, 701, 704, 730 to 737, both inclusive, 1010 to 1062, both inclusive, 12903, 12904, 12919, 12921, 12921.5, 12923 to 12926, both inclusive, 12928, 12928.6, 12930, and 12974 to 12977, both inclusive.

SEC. 2. Section 1282 of the Insurance Code is amended to read:

1282. The provisions of the following articles and chapters shall be applicable to reciprocal or interinsurance exchanges:

Chapter 1, Part 1, Division 1;

Article 14, Chapter 1, Part 2, Division 1;

Article 16, Chapter 1, Part 2, Division 1;

Article 19, Chapter 1, Part 2, Division 1;

Article 1, Chapter 1, Part 3, Division 2;

Article 2, Chapter 1, Part 3, Division 2;

Article 1, Chapter 2, Part 3, Division 2;

Article 2, Chapter 2, Part 3, Division 2;

Article 1, Chapter 3, Part 3, Division 2; and

Article 2, Chapter 3, Part 3, Division 2.

SEC. 3. If any clause, sentence, paragraph, or part of this act or the application thereof to any person or circumstances, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act and the application thereof to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstance involved.

SEC. 4. All other laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

SEC. 5. This act may be referred to as the "Insurance Rate Regulatory Act."

SEC. 6. This act shall take effect January 1, 1948."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 18

Assembly Bill No. 259

Assembly Bill No. 531

Assembly Bill No. 790

Assembly Bill No. 935

Assembly Bill No. 1553

Assembly Bill No. 1615

Assembly Bill No. 1644

Assembly Bill No. 1772

Assembly Bill No. 1774

Assembly Bill No. 1775

Assembly Bill No. 2238

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 18—An act to amend Section 1346 of the Fish and Game Code, relating to antelope.

Referred to Committee on Fish and Game.

Assembly Bill No. 259—An act to add Section 1197.5 to the Labor Code, relating to wages for women.

Referred to Committee on Labor.

Assembly Bill No. 531—An act to amend Sections 1280a and 1280b of the Penal Code, relating to affidavits for justification of bail.

Referred to Committee on Judiciary.

Assembly Bill No. 790—An act to amend Sections 250 and 252 of the Fish and Game Code, relating to refuges.

Referred to Committee on Fish and Game.

Assembly Bill No. 935—An act to add Section 252 to the Streets and Highways Code, relating to primary state highways.

Referred to Committee on Transportation.

Assembly Bill No. 1553—An act to amend Section 852a of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the council-manager form of government in cities of the sixth class.

Referred to Committee on Local Government.

Assembly Bill No. 1615—An act to add Section 6b to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Local Government.

Assembly Bill No. 1644—An act to amend Sections 862b and 878 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to powers of city councils in cities of the sixth class.

Referred to Committee on Local Government.

Assembly Bill No. 1772—An act to amend Section 3209.3 of the Labor Code, relating to workmen's compensation and insurance.

Referred to Committee on Labor.

Assembly Bill No. 1774—An act to amend Section 1679 of the Business and Professions Code, relating to revocation or suspension of licenses to practice dentistry.

Referred to Committee on Business and Professions.

Assembly Bill No. 1775—An act to amend Section 1627 of the Business and Professions Code, relating to the practice of dentistry.

Referred to Committee on Business and Professions.

Assembly Bill No. 2238—An act to amend Section 131 of the Civil Code, relating to divorce, including actions and causes of action therefor.

Referred to Committee on Judiciary.

ADJOURNMENT

At 4.53 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Tuesday, April 22, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FORTY-NINTH LEGISLATIVE DAY

ONE HUNDRED SEVENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, April 22, 1947

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Keating, on motion of Senator Powers, due to illness.

Senator Williams, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senators Weybret and Ward, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ray Ramsey of Monterey.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Thomas J. Donnelly, brother of Senator Donnelly, of Stockton.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Hart North and Pat Silberstein of Berkeley, and Mrs. James Gillette of Sacramento.

On request of Senator Jespersen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Francis Jespersen and children, Kenneth and Beverley Ann, of San Luis Obispo, son, daughter-in-law, and grandchildren of Senator Jespersen.

On request of Senator Judah, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Harry Hooper, Mr. Malio Stagnaro, Mr. Henry Uhden, and Mr. R. F. Phillips, of Santa Cruz.

On request of Senator Kraft, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Latimer Smith and Mrs. Willard Jones of San Diego, and Mrs. Dennis Shea.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following members of the Legislative Workshop of the Berkeley League of Women Voters: Mrs. Ruth Merriek, Mrs. L. A. Doyle, Mrs. Lloyd Fisher, Mrs. Eleanor Knight, Mrs. A. E. Anderson, Mrs. Frank Newman, Mrs. H. Threlkeld, and Mrs. E. G. Thomsen.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister M. Celestine, Principal, Sister M. Benedicta, Sister M. Oliver, and the following students of the St. Joseph's Academy: Angelina Resendez, Rita Yopez, Jacinta Villegas, Connie Avila, Elaine Dickerson, Jacquetta Frazier, Marjorie Creighton, Mary Ellen Doyle, Violet Neckersoff, Paula Perez, Mamie Lujon, Hope Massey, Pat Judge, Adeline Gaborino, Noreen Warriner, Pat Risse, Viola Cantu, Georgina Naso, Joan Hamilton, Joy Swafford, Pat Russell, Catherine Ryan, Nancy Tenhunfeld, Thea Pellegrini, Pat Berry, Betty Lou Weeks, Norma McCallum, Eva Puliz, Phyllis Perry, Jean Meda, Mary Mulligan, Margaret Mary Hannan, Inez Green, Jean Shipp, Joan Kreuger, Lorraine Kamp, Romona Artero, Estella Chavez, Frances Fava, Janette Martin, Norma Tenhunfeld, Anita Moes, Rosina Vasquez, Margaret Cortez, Elizabeth Tobol, Joyce Tucker, Violet Lind, Elaine Revelino, Mary E. Ryan, Barbara Fischer, Lupe Rizo, Consuelo Sepeda, Matilda Macias, Mary Dullanty, Henrietta Muljat, Georgina Zivkovich, Mary Jane Boroja, Margaret Wiget, Betty Kearns, Margaret Hall, Elizabeth Yniguez, Mary E. Harder, Arlene Martin, Anna Peluso, Barbara Burke, Pat Allen, Joyce Cummings, Evelyn Casella, Josephine Lobue, Catherine Burger, and Carmel Nuccio.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Victor Christensen of Likely.

On request of Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. James Lindsey of Los Angeles.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Rudy Ellis, Miss Marie Hill, and Dr. Louis A. O'Gara, all of San Francisco, and the following members of the St. Ives Law Club of the University of San Francisco: Daniel J. O'Brien III, Fitzmaurice P. Butler, John M. Durkin, Donald F. Farbstein, Gerald J. Kilday, James K. Donohue, Charles Willin, Robert Maurer, and John I. Lee.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Peter Jacobs, district superintendent, Mr. Harry Alby, principal, and the following students of the Rio Vista Union Elementary School: Margie Amburn, Clara Amburn, Margie Azeredo, Ella Anderson, Robert Ahamson, Allene Bashan, Jeannie Borden, Patty Borden, Gordon Cardoza, Norma Coldiron, Bill Coldiron, Dorothy Darkenwald, Lester Emigh, Lyle Jessee, Dwayne Minick, Marlene Marks, Marlene Moritz, Teddy Horsky, Betty Blackmore, Billy Owens, Joan Belchar, Sherwood Church, Nancy Sidener, Dianne Douglas, Stella Slarvick, Stella S. Spencer, Janet Davidson, Billy Friedel, Eugene Frick, Robert Fry, William Coover, Kenneth Hoshima, Marta Hierlihy, Iris Holmes, Joyce Jean Jones, Glenn Kissinger, Gloria Hirstest, David Hamilton, Betty Conable, Evelyn Lea, Junior Laudi, Geraldine Cartmel, Franklin Nielson, Marilyn Miller, Margaret Esperson, Buddy Esperson, Barbara Wiehel, Tom McCormack, Barbara Stevenson, Darlene Stadler, Frances Toy, and Arleva McKnight.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Neil G. Locke of Beverly Hills.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 38	Senate Bill No. 957
Senate Bill No. 172	Senate Bill No. 958
Senate Bill No. 173	Senate Bill No. 1170
Senate Bill No. 246	Senate Bill No. 1253
Senate Bill No. 828	Senate Bill No. 1283
Senate Bill No. 955	Senate Bill No. 1304
Senate Bill No. 956	Senate Bill No. 1523

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 185	Senate Bill No. 1068
Senate Bill No. 251	Senate Bill No. 1162
Senate Bill No. 704	Senate Bill No. 1193
Senate Bill No. 906	Senate Bill No. 1271
Senate Bill No. 1007	Senate Bill No. 1375
Senate Concurrent Resolution No. 35	

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 208	Senate Bill No. 962
Senate Bill No. 254	Senate Bill No. 1067
Senate Bill No. 548	Senate Bill No. 1456

And reports the same correctly re-engrossed.

POWERS, Chairman

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Water Resources, to which was referred: Assembly Bill No. 825

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; noes 2; absent 2.

JESPERSEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Water Resources, to which were referred:
Senate Bill No. 880
Assembly Bill No. 418

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

JESPERSEN, Chairman

Above reported bills ordered to second reading.

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:
Senate Bill No. 233
Senate Bill No. 832

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

DELAP, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:
Assembly Joint Resolution No. 9

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 5; absent 4.

DELAP, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:
Assembly Bill No. 2467

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

DELAP, Chairman

Above reported bill ordered to second reading.

Committee on Transportation

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Transportation, to which were referred:
Senate Bill No. 277
Senate Bill No. 278
Assembly Bill No. 677

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 11; absent 2.

MCCORMACK, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Transportation, to which were referred:
Senate Bill No. 307
Assembly Bill No. 489

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 13; committee vote: Ayes 11; absent 2.

MCCORMACK, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred:
Senate Bill No. 1009

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 10; absent 3.

McCORMACK, Chairman

Above reported bill ordered to second reading.

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 847

Senate Bill No. 990

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 1258

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Judiciary.

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bill re-referred to Committee on Judiciary.

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which was referred:

Senate Bill No. 805

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 487

Senate Bill No. 616

Senate Bill No. 646

Senate Bill No. 1254

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

COLLIER, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Assembly Constitutional Amendment No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 9; noes 1; absent 1.

SWING, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 309

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; noes 1; absent 1.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Assembly Bill No. 638

Assembly Bill No. 639

Assembly Bill No. 2649

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 235

Senate Bill No. 1225

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bills re-referred to Committee on Finance.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Rules, to which were referred:

Assembly Joint Resolution No. 29

Assembly Joint Resolution No. 36

Assembly Concurrent Resolution No. 57

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolutions ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Bill No. 1153

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported bill ordered to second reading.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 966

Senator Judah moved that Senate Bill No. 966 be withdrawn from Committee on Social Welfare.

Motion carried.

Motion to Refer Bill to Inactive File

Senator Judah moved that Senate Bill No. 966 be placed on the inactive file.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 36: By Senators O'Gara, Tenney, Breed, and Kraft—Relative to urging participation in World Trade Week.**Request for Unanimous Consent**

Senator O'Gara asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 36, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 36**Senate Concurrent Resolution No. 36**—Relative to urging participation in World Trade Week.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Dillinger:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation for public assistance, including aid to the aged, aid to the needy blind, and aid to needy children, to be expended under the conditions

and upon the terms specified therein, and declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

SENATOR H. E. DILLINGER

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 22, 1947

The Committee on Rules recommends that permission be granted to introduce the bill, as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—30.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following bill was introduced, and read the first time:

Senate Bill No. 1561: By Senator Dillinger—An act making an appropriation for public assistance, including aid to the aged, aid to the needy blind, and aid to needy children, to be expended under the conditions and upon the terms specified therein, and declaring the urgency thereof, to take effect immediately.

Referred to the Committee on Social Welfare.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill No. 1177—An act to add Sections 8708 and 8709 to Article 6, Chapter 3, Part 4 of Division 5 of the Water Code, relating to the powers and duties of the Reclamation Board.

Bill read second time, and ordered to third reading file.

THIRD READING OF SENATE BILLS

Senate Bill No. 1067—An act to amend Section 2376.5 of the Business and Professions Code, relating to the restoration of certificates to practice medicine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McCormack, O'Gara, Parkman, Quinn, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER

Senate Bill No. 609—An act to add Section 20570 to the Water Code, relating to irrigation districts.

Motion to Reconsider Senate Bill No. 609

Pursuant to his motion previously made, Senator Donnelly moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 609 was refused passage.

The roll was called, and Senate Bill No. 609 reconsidered by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, Deuel, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, O'Gara, Parkman, Powers, Quinn, Swing, Tenney, Ward, Watson, and Weybret—21.

NOES—Senators Brown, Dillinger, Dilworth, Mayo, Rich, and Salsman—6.

Senate Bill No. 609 ordered to third reading file.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1456—An act to add Section 254.2 to the Revenue and Taxation Code, relating to property taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, DeLap, Desmond, Deuel, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—28.

NOES—Senators Dillinger and Mayo—2.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 1512—An act to amend Sections 4421, 4424, and 4433 of the Public Resources Code, relating to reforestation of forest lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1170—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, relating to escrows.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Tenney, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 208—An act to amend Sections 4901, 4902, 4904, 4912, 4913, 4914, 4915, and 4953 of the Education Code, and to add Section 4912.1 to said code, all relating to the reorganization of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Hatfield, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—26.

NOES—Senators Desmond, Donnelly, and Quinn—3.

Bill ordered transmitted to the Assembly.

Senate Bill No. 548—An act to amend Section 19533 and to repeal Sections 19535 and 19536 of the Business and Professions Code, relating to licenses to conduct horse racing meetings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Hatfield, Jespersen, Judah, Kraft, Mayo, McCormack, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—27.

NOES—Senator Donnelly—1.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1108—An act to amend Section 737.6-2 of the Agricultural Code, relating to fluid milk testing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Hatfield, Jespersen, Judah, Kraft, McCormack, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 828—An act to add Section 4052f to the Political Code and Section 25368 to the Government Code, relating to conveyances of county property for hospital purposes, and validating such conveyances hereto made.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Kraft, Mayo, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 172—An act amending the title and Sections 1, 2, 3, 4, and 5 of, and adding Sections 1.5 and 7 to, an act entitled "An act authorizing and empowering any city, city and county, county or subdivision of the State of California, to park, and to permit the parking of, vehicles on real property belonging to, or in the possession of, or subject to an easement of, such city, city and county, county or subdivision of the State to lease or grant franchises in real property for such purpose and to construct, and maintain land and buildings for such purpose," approved May 24, 1927, relating to the parking of motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 173—An act amending the title and Sections 1, 4, 6, 44, 46, and 52 of, and adding Sections 2.1, 2.2, 2.3, 2.4, 2.6, and 2.8 to, the Vehicle Parking District Act of 1943, relating to parking districts and providing that such parking districts may be formed in the unincorporated territory, incorporated territory, or may include both.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Judah, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—28.

NOES—Senator Hatfield—1.

Bill ordered transmitted to the Assembly.

Senate Bill No. 246—An act to add Sections 8965 and 8966 to the Health and Safety Code, relative to officers and employees of public cemetery districts and to the powers of said districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1304—An act to amend Section 4041.21 of the Political Code, relating to the jurisdiction and powers of boards of supervisors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Hatfield, Hulse, Jespersen, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—29.

NOES—None.

Motion to Reconsider

Senator Hatfield moved to reconsider the vote whereby Senate Bill No. 1304 was passed.

Postponement of Reconsideration

On motion of Senator Hatfield, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 1304 was passed, was continued until the next legislative day.

Senate Bill No. 1007—An act to amend Section 25457 and to renumber Chapter 4, comprising Sections 26800 to 26858, of Part 3,

Division 2, Title 3 of the Government Code, relating to the government of counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1162—An act to amend Section 9203 of the Public Resources Code, relating to elections in soil conservation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Hatfield, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Watson, and Weybret—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 38—An act to amend Sections 1520 and 1521 of, and to add Section 1521.2 to, the Welfare and Institutions Code, relating to property qualifications for aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hulse, Jespersen, Judah, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Watson, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 962—An act to add Sections 56.2 and 44.4 to, the Unemployment Insurance Act, relating to unemployment insurance and employments excluded therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hulse, Judah, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—28.

NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 3.32 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 1253—An act to amend Section 2552 of the Business and Professions Code, relating to the qualifications of dispensing opticians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Gordon, Hulse, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—26.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 956—An act to amend Section 12020 of the Business and Professions Code, relating to false weights and measures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hulse, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—28.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 957—An act to amend Sections 12200, 12201, 12203, and 12214 of the Business and Professions Code, relating to appointment of sealers of weights and measures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hulse, Jespersen, Kraft, McBride, McCormack, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—26.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 958—An act to amend Section 12504 of the Business and Professions Code, relating to testing of weights and measures by request.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hulse, Jespersen, Kraft, McBride, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, and Ward—25.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 955—An act to amend Sections 20980 and 20981 of the Business and Professions Code, relating to penalties for violation of provisions regulating petroleum.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—27.
NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1271—An act to amend Section 5032 of the Business and Professions Code, relating to public accountants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senator Breed Presiding

At 3.45 p.m., Senator Arthur H. Breed, Jr., of the Sixteenth District, presiding.

Senate Bill No. 251—An act to amend Section 4882 of the Business and Professions Code, and to add Sections 4809.5 and 4829.5 thereto, relating to the practice of veterinary medicine, dentistry and surgery.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, and Watson—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1063—An act to add Section 2141.10 to the Business and Professions Code, relating to post-mortem examinations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 906—An act to add Section 7032 to Article 2, Chapter 9, Division 3 of the Business and Professions Code, relating to the power of cities to regulate contractors.

Bill read third time.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Powers moved a call of the Senate.

Motion carried. Time, 3.52 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE
MOTION TO RE-REFER SENATE BILL NO. 966

Senator Judah moved that Senate Bill No. 966 be re-referred to Committee on Social Welfare.

Motion carried.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 3

Senator McCormack moved that Senate Bill No. 3 be withdrawn from Committee on Elections, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 3—An act to add Section 120.5 to the Elections Code, relating to registration of electors.

Bill read second time.

Motion to Amend

Senator McCormack moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "1948", and insert "1950".

Amendment No. 2

On page 1, line 6, of said bill, strike out "1948", and insert "1950".

Amendment No. 3

On page 1, line 7, of said bill, strike out "1948", and insert "1950".

Amendment No. 4

On page 1, line 15, of said bill, strike out "1948", and insert "1950".

Amendment No. 5

On page 1, line 18, of said bill, strike out "1948, and on April 1, 1948", and insert "1950, and on April 1, 1950".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Elections.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1423

Senator McCormack moved that Senate Bill No. 1423 be withdrawn from Committee on Transportation, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1423—An act making an appropriation to the Regents of the University of California for establishing a School of Highway and Road Engineering.

Bill read second time.

Motion to Amend

Senator McCormack moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, strike out all following "establishing."; and strike out all of line 3 of said title, and insert "and operating an Institute of Transportation Engineering, and providing that said appropriation is exempt from the provisions of Section 16304 of the Government Code."

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "seven hundred sixty thousand dollars (\$760,000)", and insert "nine hundred twenty thousand dollars (\$920,000)".

Amendment No. 3

On page 1 of the printed bill, strike out all of line 5, and insert "of an Institute of Transportation Engineering in the Department of Engineering of the University of California, at Berkeley. Said institute shall carry on instruction and research related to the design, construction, operation, and maintenance of highways, airports, and related facilities for public transportation."

Amendment No. 4

Add a new section to the printed bill, to be numbered Section 2, as follows:

"Sec. 2. To the extent deemed appropriate by the regents the Institute of Transportation Engineering shall cooperate in research with the State Division of Highways and with other agencies charged with responsibility for the design, construction, maintenance, and operation of highways, airports, and other related facilities for public transportation. In addition to, but not to the exclusion of, other appropriate subjects for research and study, the institute shall give attention to the interrelated problems of highway design, traffic control, and highway safety."

Amendment No. 5

Add a new section to the printed bill, to be numbered Section 3, as follows:

"Sec. 3. The sum hereby appropriated may be expended as follows: The whole or any part thereof for buildings, land, equipment, instruments, and personal services as determined by the regents to be necessary for the acquisition of physical facilities appropriate to the purposes of the institute, and not more than one hundred sixty thousand dollars (\$160,000) thereof for personal services, supplies, instruments, equipment, and services other than personal, necessary for the operation of the said institute during the Fiscal Years 1947-48 and 1948-49."

Amendment No. 6

Add a new section to the printed bill, to be numbered Section 4, as follows:

"Sec. 4. The appropriation made by this act is available without regard to fiscal years, and is exempt from the provisions of Section 16304 of the Government Code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1321

Senator Jespersen moved that Senate Bill No. 1321 be withdrawn from Committee on Water Resources, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1321—An act to amend Sections 11207, 11226, 11236, and 11460 of, and to add Article 12 to Chapter 2 of Part 3 of Division 6 of the Water Code, relating to water, and the construction of the Central Valley Project and the use of the waters thereof.

Motion to Amend

Senator Jespersen moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 11226, 11236, and 11460", and insert "and 11226".

Amendment No. 2

On page 2 of said bill, strike out lines 3, 4, and 5, and insert "for irrigation and domestic use, and secondarily for the generation of electric power and other beneficial uses."

Amendment No. 3

On page 2 of said bill, strike out lines 7 to 11, inclusive; and in line 12, strike out "SEC. 4.", and insert "SEC. 3."

Amendment No. 4

On page 2, line 23, of said bill, strike out "together with a water supply"; strike out line 24; and in line 25, strike out "stream or tributaries thereof".

Amendment No. 5

On page 2 of said bill, strike out lines 27 to 50, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1527—An act to add Section 2186.1 to the Welfare and Institutions Code, relating to old age security funds.

Bill read third time, and presented by Senator Judah.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 893—An act to repeal Chapter 1a, comprising Sections 160.1 to 160.7, inclusive, of Division 2 of the Agricultural Code, relating to the registration of fruit trees.

Bill read third time, and presented by Senator Swing.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2597—An act making an appropriation for Emergency Fund in augmentation of the appropriation in Item 275 of the Budget Act of 1945, to take effect immediately.

Bill read third time, and presented by Senator Rich.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2597:

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, April 8, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 2597, "An act making an appropriation for Emergency Fund in augmentation of the appropriation in Item 275 of the Budget Act of 1945, to take effect immediately."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 2597 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1003—An act to amend Section 10270.7 of the Insurance Code, relating to insurance.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1005—An act to amend Section 10203.5 of the Insurance Code, relating to insurance.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 31—Relative to memorializing the President and Congress to enact S-172, providing for the creation of a commission to consider claims that released prisoners of war may have against the Japanese government.

Resolution read, and presented by Senator Kraft.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen,

Judah, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—32.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 32—Relating to memorializing Congress and the President to retain the identity of the Marine Corps in any unification of the armed forces.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—30.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 901—An act to amend the title of Chapter 1 and of Part 2, Division 2, of the Military and Veterans Code, relating to the name of the California High School Cadet Corps: to amend Sections 500, 500.1, 501, 502.1, 502.2, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512.1, 513.1, 514, 515.1, 516, 516.1, 517, 520.1, and 530 of the said code, relating to the admission of colleges and junior college to the High School Cadet Program, the change in name of the High School Cadet Corps, the adoption of rules and regulations for the control of the cadet corps, the appointment of commandants, assistant commandants and assistant commandants, junior grade, the commissioning of cadet supervisors, the regulation of cadet uniforms and insignia, the organization of the cadet corps, the appointment of cadets officers and noncommissioned officers and their promotion, dismissal from the corps and the discipline of the corps, limitations as to formation of cadet corps, preparation of cadet instruction, inspections, marksmanship instruction, issuance of military property to cadets including rifles, schools and conferences for personnel, establishment of cadet units in private educational institutions, and commissioning of officers in military academies and professors of military science and tactics.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, and Watson—28.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 902—An act to amend Sections 128, 143, 145, 146, 147, 167, 168, 170, 255, 340, 360, 361, 366, 421, and 422 of the Military and Veterans Code, relating to the addition of the unorganized militia when called into the service of the State and its employment in the same situations as the National Guard when necessary, the description of circumstances in which the military forces may be employed, the creation of an offense for violation of a military proclamation, the change in name of the office of Adjutant General, the wearing of a military uniform, the equipment of the unorganized militia when called into the service of the

State and the extension of compensation benefits to such militia when so employed, the wrongful disposition of military property, a system of discipline for the unorganized militia when called into the service of the State, and the employment of the unorganized militia when called into the service of the State.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, and Watson—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1398—An act amending Section 395 of the Military and Veterans Code, relating to the pay and allowances of National Guard officers and enlisted men while on active duty in the service of the State and attending drills, camps or special exercises sponsored by federal authority or while serving in cases of an emergency; the right to be reinstated to employment following return from full-time active duty after an emergency and the procedure therefor, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time, and presented by Senator Quinn.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McCormack, O'Gara, Parkman, Quinn, Salsman, Slater, Sutton, Tenney, Ward, and Watson—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, McCormack, O'Gara, Parkman, Quinn, Salsman, Slater, Sutton, Tenney, Ward, and Watson—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 230—An act to amend Section 9 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Bill read third time.

Motion to Amend

Senator Kraft moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 18, 1947, strike out "amend", and insert "add Section 9.3 to and to repeal".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "9 of the act cited in the title is amended", and insert "9.3 is added to the Municipal Court Act of 1925".

Amendment No. 3

On page 1, line 3, of said bill, strike out "9", and insert "9.3".

Amendment No. 4

On page 1, line 6, of said bill, after "9.5", insert "or in Section 9 to the extent that the latter section is not superseded by this section".

Amendment No. 5

On page 3, line 48, of said bill, strike out "1", and insert "9 of the Municipal Court Act of 1925 is hereby repealed. This section".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 362—An act to amend Section 1395 of the Labor Code, relating to the employment of minors.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, and Watson—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 365—An act to amend Section 1582 of the Labor Code, relating to private employment agencies.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, and Watson—28.

NOES—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH**

At 3.57 p.m., on motion of Senator Powers, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 906 passed by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Desmond, Deuel, Dilworth, Donnelly, Hatfield, Hulse, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, and Ward—25.

NOES—Senators Breed, Cunningham, DeLap, Dillinger, Gordon, Jespersen, Rich, Sutton, Swing, and Watson—10.

Bill ordered transmitted to the Assembly.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1462

Senator Carter moved that Senate Bill No. 1462 be withdrawn from Committee on Public Health and Safety, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1462—An act to add Section 13118 to the Health and Safety Code, relating to containers storing inflammable materials.

Bill read second time.

Motion to Amend

Senator Carter moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert "13118. As used in this section "inflammable material" means any petroleum product having a flash point by the closed cup test not greater than 120 degrees F. "Container" means any drum, can, bottle, jar, flask, canister or similar receptacle used for the storage of inflammable material.

No person, firm or corporation shall sell, offer for sale or distribute any inflammable material in a container unless the container has affixed thereto a label with the word "inflammable" imprinted thereon. The letters shall be clearly legible and as large as any other printing on the container. The label shall be printed upon red paper in distinct white letters or upon white paper in distinct red letters.

When sale or distribution is made from bulk storage into a container with no labeling thereon, the seller or distributor shall affix to the container a label as required by this section.

A petroleum product having a flash point not greater than 120 degrees F., mixed with a noninflammable product of greater volatility, shall be considered inflammable material within the meaning of this section.

Any person, firm or corporation in violation of the provisions of this section shall be guilty of a misdemeanor."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1463

Senator Carter moved that Senate Bill No. 1463 be withdrawn from Committee on Public Health and Safety, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1463—An act to add Section 13117 to the Health and Safety Code, relating to use of inflammable materials in places of public assemblage.

Bill read second time.

Motion to Amend

Senator Carter moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 13117", and insert "Sections 13117, 13118, 13119, 13120, 13121, 13122, 13123, 13124, 13125, 13126, 13127, and 13128".

Amendment No. 2

In line 3 of the title of said bill, after "assemblage", insert ", and making an appropriation".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert "SECTION 1. Sections 13117 to 13128, inclusive, are added to the Health and Safety Code, to read:

13117. It is unlawful for any person, firm or corporation to establish, maintain or operate any night club, restaurant, cafe or any similar place where alcoholic liquors are sold for consumption on the premises, or any dance hall, skating rink, theater, motion picture theater, auditorium, school, or any other place of public assemblage used, or intended for use, as a place of amusement, entertainment, instruction, display, or exhibition, unless all drapes, hangings, curtains, drops and all other similar decorative materials that would tend to increase the fire or panic hazard, are made from a nonflammable material, or are treated and maintained in a flame-retardant condition as defined in Section 13115.

13118. The State Fire Marshal shall establish minimum standard requirements, and shall adopt such rules and regulations as are deemed necessary by him to properly regulate the manufacture, sale and application of flame-retardant chemicals and the

sale of flame-retardant treated fabrics or materials used or intended for use in connection with any occupancy mentioned in Sections 13115 and 13117.

13119. The State Fire Marshal shall, before approving any flame-retardant chemical, fabric or material, require that such flame-retardant chemicals and flame-retardant fabrics or materials be submitted to a laboratory approved by him for test in accordance with the standards established pursuant to Section 13118.

13120. The State Fire Marshal shall promulgate and make available at cost of printing at least once each year a list of the flame-retardant chemicals, flame-retardant fabrics or materials, and flame-retardant application concerns approved by him. He shall furnish such lists without cost to all fire officials in California.

13121. The State Fire Marshal shall remove from his approved list the name of any flame-retardant chemicals, flame-retardant fabric or material or any flame-retardant application concern for any of the following causes:

(a) Selling or offering for sale a flame-retardant chemical or a flame-retardant material that is inferior to that submitted for test and approval.

(b) Distributing or disseminating or causing to be distributed or disseminated, misleading or false information with respect to any flame-retardant chemical, fabric or material.

(c) Changing the flame-retardant chemical formula or methods of flame-retardant treatment without first notifying the State Fire Marshal of such change and obtaining approval of same.

(d) Using other than chemicals shown on the State Fire Marshal's approved list.

(e) Using chemicals for the treatment of materials for which they have not been approved.

(f) Failure to adequately and properly treat a fabric or material to make it fire-resistant to the extent that it will successfully pass the fire-resistant tests established by the State Fire Marshal.

(g) Violating any minimum standard or any rule or regulation adopted pursuant to Section 13118.

13122. The name of any chemical, chemical concern or flame-retardant application concern whose name has been removed from the approved list shall not again be restored to the approved list for a period of 90 days from the date of such removal.

13123. The name of any chemical, chemical concern or flame retardant application concern shall not be restored to the approved list until a new application, accompanied by a new registration fee, has been filed with the State Fire Marshal.

13124. With the advice of the State Fire Advisory Board, the State Fire Marshal shall prepare and adopt rules and regulations establishing minimum standards and specific procedures for the approval of flame-retardant chemicals, flame-retardant materials and flame-retardant applicator concerns whose names are to appear on the approved list.

13125. Any chemical manufacturing concern, or any flame-retardant application concern, or any concern marketing a flame-retardant fabric or material who desires to have their name appear on the approved list shall first make application to the State Fire Marshal on forms provided by him. Such applications shall be accompanied by the registration fee as follows:

(a) The original and annual renewal registration fee for each approved chemical shall be one hundred fifty dollars (\$150).

(b) The original and annual renewal registration fee for each flame-retardant fabric or material shall be one hundred fifty dollars (\$150).

(c) The original and annual renewal registration fee for a flame-retardant application concern shall be fifty dollars (\$50).

13126. The annual and renewal registration fee shall be for the fiscal year period from July 1st to June 30th or for the remaining portion thereof.

13127. The State Fire Marshal shall remove from the approved list the names of all chemicals, chemically treated fabrics or materials and the names of all flame-retardant applicator concerns who have not paid their renewal registration fee prior to August 1st of each year.

13128. All money collected pursuant to this chapter shall be deposited in the General Fund.

SEC. 2. Out of any money in the State Treasury not otherwise appropriated, there is hereby appropriated the sum of ten thousand dollars (\$10,000) to be used by the State Fire Marshal to carry out the provisions of this act."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

RESOLUTIONS

The following resolution was offered:

By Senators Tenney, Burns, Delworth, Kraft, Desmond, Watson, Gordon, Ward, Cunningham, Parkman, Crutenden, McBride, Judah, Quinn, Weybret, Breed, Busch, Hulse, Hatfield, McCormack, and Donnelly:

Senate Resolution No. 75

Relative to the creation of a Senate Fact Finding Committee on Un-American Activities, to investigate the activity of persons and groups known or suspected to be foreign dominated or controlled and to recommend legislation for their regulation.

WHEREAS, There are perils of public danger. Subversive persons and groups are undermining our democratic society so as to cause us to be prepared to resist attack from without and within. Under many of the pretenses afforded by the Bill of Rights these persons and groups seek to confuse our Government by false evidence,歪曲, misunderstanding and subterfuge, and to subject us to the domination of foreign powers and designs; and

WHEREAS, There is danger that the wisdom through which the Country has suffered to keep the peace of its people may be in vain; and

WHEREAS, Persons and groups, motivated by hatred of American ideals, our republican form of government and democratic processes, some bound together by allegiance to foreign powers, are even now seeking to achieve by subterfuge what we have so bravely fought to prevent from being; and

WHEREAS, California, as one of the States of the great Nation, may perhaps have the persons within its boundaries, and their permanent residents thereof, of such an invidious character; and

WHEREAS, State legislation to meet the problem and to meet law enforcement officers are best to be based on a thorough and impartial investigation by a competent and active legislative committee; now, therefore, be it

Resolved by the Senate of the State of California, That

1. The Senate Fact Finding Committee on Un-American Activities is hereby created and authorized and directed to investigate, ascertain, study and analyze all facts directly or indirectly relating to the foregoing, to the activities of groups and organizations whose membership includes persons who are members of organizations who have as their objectives or part of their purposes, the overthrow of the governments of the State of California or of the United States by force and violence or other unlawful means, all circumstances known or suspected to be dominated or controlled by a foreign power which activities affect the interests of this State in national defense, the functioning of any state agency, foreign-owned land and other forms of public investments, substantial contributions of this State appearing in whole or in part by public funds, or any public program, or which may affect the government of the State from a viewpoint contrary to a democratic government or affect the economic and social processes mentioned therein, including but not limited to the operations, affairs, administration, and management and control thereof of any local, State or any other public or private institution, organization, or other entity, and to report thereof to the Senate.

2. In addition to the foregoing, the Senate Fact Finding Committee as a legislative fact-finding committee shall endeavor to ascertain, study and analyze all facts relating to the activities of persons and groups known or suspected to be dominated or controlled by a foreign power, and who are motivated by the overthrow of our republic, our national government, our constitution, or other law, including but not limited to the activities of any such persons or groups of which any substantial contributions were made, financial and other resources were being obtained, used, raised, produced, obtained and the purposes of such contributions and the other facts which may become known to the committee as mentioned above, as well as the operations, affairs, administration, management and control thereof of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereof to the Senate.

3. The committee shall consist of six Members of the Senate appointed by the Committee on Rules, subject to confirmation by a majority of the membership of the committee which is fixed by the governing power.

4. The committee is authorized to use during the session of the Legislature, including any recess, and after each recess, the time and facilities of the State Legislative Session, with members as far as time permit and more than the last legislative day of that session.

5. The committee and its members shall have and exercise all of the rights, powers and powers conferred upon committees by constitution and their members by the constitution of the State Senate of the Senate and Assembly and the Standing Rules of the Senate as they are revised and amended from time to time, whose provisions are interpreted power and made applicable to the committee and its members.

6. The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership, and to employ and fix the compensation of a secretary and such clerical, investigative, expert and technical assistants as it may deem necessary.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpoenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purposes of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee.

(g) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate.

(h) To hold public hearings at any place in California at which hearings the people are to have an opportunity to present their views to the committee.

(i) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony.

(j) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

7. The committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths.

8. Every department, commission, board, agency, officer and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created.

9. The committee, or a subcommittee or the chairman when authorized by a majority vote of the entire committee, may meet outside the State with similar committees of Congress or of the several states.

10. The sum of fifty thousand dollars (\$50,000), or as much thereof as may be necessary, is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund, and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 650
Assembly Bill No. 976
Assembly Bill No. 977
Assembly Bill No. 1085

Assembly Bill No. 1086
Assembly Bill No. 1197
Assembly Bill No. 1546
Assembly Bill No. 1797

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 650—An act to amend Section 1 of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provision," approved April 11, 1935, relating to civil service systems.

Referred to Committee on Local Government.

Assembly Bill No. 976—An act to amend Section 862.2 of "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, relating to the powers of sixth class cities to acquire and convey real property, and declaring the urgency thereof to take effect immediately.

Referred to Committee on Local Government.

Assembly Bill No. 977—An act to amend Section 20894.1 of the Government Code, relating to military service of local members of the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1085—An act to amend Section 804 of the Agricultural Code, relating to standards for pears, and declaring the urgency of this act to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1086—An act to amend Section 806 of the Agricultural Code, relating to standards for plums and fresh prunes, and declaring the urgency of this act to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1197—An act to amend Section 4278 of the Political Code and Section 28149 of the Government Code, relating to compensation for public services in counties.

Referred to Committee on Local Government.

Assembly Bill No. 1546—An act to amend Section 18709 of the Government Code, relating to state civil service rights of employees of functions taken over by the State.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1797—An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Pablo to the City of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Transportation.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 10
Assembly Bill No. 64
Assembly Bill No. 225
Assembly Bill No. 335
Assembly Bill No. 357
Assembly Bill No. 416
Assembly Bill No. 496
Assembly Bill No. 588
Assembly Bill No. 646
Assembly Bill No. 881

Assembly Bill No. 1318
Assembly Bill No. 1554
Assembly Bill No. 1801
Assembly Bill No. 2042
Assembly Bill No. 2130
Assembly Bill No. 2305
Assembly Bill No. 2509
Assembly Bill No. 2510
Assembly Bill No. 2512
Assembly Bill No. 2513

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 10—An act to amend Section 5437 of the Public Resources Code, relating to qualifications of voters of county recreation districts.

Referred to Committee on Natural Resources.

Assembly Bill No. 64—An act to amend Section 32001 of the Health and Safety Code, relating to the establishment, organization, government and powers of hospital districts.

Referred to Committee on Public Health and Safety.

Assembly Bill No. 225—An act to amend Sections 29851 and 29852 of the Government Code, relating to duplicate county warrants.

Referred to Committee on Local Government.

Assembly Bill No. 335—An act amending Section 3 of an act entitled, "An act providing for the creation of revolving funds in counties and townships of the State," approved May 9, 1923, and amending Section 29327 of the Government Code, relating to county revolving funds.

Referred to Committee on Local Government.

Assembly Bill No. 357—An act to amend Section 2421 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 416—An act to add Section 2163.3 to the Welfare and Institutions Code, relating to aid to the aged in respect to personal property qualifications of applicants and recipients.

Referred to Committee on Social Welfare.

Assembly Bill No. 496—An act to add Section 513 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation.

Assembly Bill No. 588—An act to amend Section 44 of the State Water Resources Act of 1945, relating to water and flood control.

Referred to Committee on Water Resources.

Assembly Bill No. 646—An act to amend Section 2165 of the Welfare and Institutions Code, relating to aid to the aged in respect to real property qualifications of applicants.

Referred to Committee on Social Welfare.

Assembly Bill No. 881—An act to add Sections 5832.6, 5835.1, and 5835.2 to, and to amend Section 5837 of, the Streets and Highways Code and to add Section 4893 to the Health and Safety Code, relating to sewer maintenance districts.

Referred to Committee on Local Government.

Assembly Bill No. 1318—An act to add Sections 1603, 1604, and 1605 to the Education Code, relating to the transfer of territory from one school district to another school district.

Referred to Committee on Education.

Assembly Bill No. 1554—An act to amend Section 19182 of the Streets and Highways Code, relating to highway lighting districts.

Referred to Committee on Transportation.

Assembly Bill No. 1801—An act to add Section 13842.1 to the Education Code, relating to the establishment of salary schedules for persons employed by school districts in positions requiring certification qualifications.

Referred to Committee on Education.

Assembly Bill No. 2042—An act to amend Section 360 of the Education Code, relating to additional reports.

Referred to Committee on Education.

Assembly Bill No. 2130—An act to add Section 13844 to the Education Code, relating to employees reports.

Referred to Committee on Education.

Assembly Bill No. 2305—An act to add Sections 80 to 83, inclusive, and Sections 90 to 94, inclusive, to, and to repeal Section 100 of, the Streets and Highways Code, relating to public highways and the responsibilities and duties of the California Highway Commission and the Department of Public Works in connection therewith.

Referred to Committee on Transportation.

Assembly Bill No. 2509—An act to provide for the establishment of master and official plans in cities, cities and counties, and counties, and for the adoption of ordinances pursuant thereto; to prescribe the manner of adoption of such plans, portions thereof and amendments thereto, and the composition and effects thereof; to provide for the establishment and appointment of planning commissions by cities, cities and counties, and counties, for the creation of regional planning districts and the establishment and appointment of regional planning commissions and the State Conservation and Planning Board and Director of Planning; to define the powers and duties of such commissions and the State Conservation and Planning Board and the Director of Planning, and to provide for the exercise of such powers; to provide for the levy

of special taxes for the support of planning commissions, and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; and prescribing penalties for the violation thereof; and to repeal the Planning Act, as amended, relating to planning commissions.

Referred to Committee on Local Government.

Assembly Bill No. 2510—An act to amend Section 2 of the Planning Act, relating to planning commissions.

Referred to Committee on Local Government.

Assembly Bill No. 2512—An act to add Section 2.7 to the Planning Act, relating to urban planning commissions.

Referred to Committee on Local Government.

Assembly Bill No. 2513—An act to amend Section 4 of the Planning Act, relating to the powers and duties of the Planning Commission.

Referred to Committee on Local Government.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 39

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 39—Relative to memorializing Congress for a continuation of the school-lunch programs.

Referred to Committee on Education.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 298

Senate Bill No. 359

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 31

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 50
Senate Bill No. 119
Senate Bill No. 120
Senate Bill No. 324
Senate Bill No. 679

Senate Bill No. 768
Senate Bill No. 946
Senate Bill No. 947
Senate Bill No. 1420

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bills ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committees on Judiciary

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 1050

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 7; absent 5.

DESMOND, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 641

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 6; noes 1; absent 5.

DESMOND, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 143

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 12; committee vote: Ayes 7; absent 5.

DESMOND, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 529

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 12; committee vote: Ayes 7; absent 5.

DESMOND, Vice Chairman

Above reported bill re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 1314

Assembly Bill No. 223

Senate Bill No. 1381

Assembly Bill No. 1227

Assembly Bill No. 222

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 7; absent 5.

DESMOND, Vice Chairman

Above reported bills ordered to second reading.

ADJOURNMENT

At 4 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Wednesday, April 23, 1947.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FIFTIETH LEGISLATIVE DAY

ONE HUNDRED EIGHTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, April 23, 1947

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. W. W. Sunkel of Visalia.

On request of Senator Tenney and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Captain Eva Alexander, Marie Janerette, Mrs. Nellie Marie Mason, Mrs. Marie Potts, Dr. A. H. Kadish, Mr. Max Zimmer, and Rosalind Bates all of Los Angeles.

On request of Senator Mayo, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. P. C. Mather of Angels Camp.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Dean Triggs, County Superintendent of Schools, Ventura.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Adalaide Hascall, Myron Hascall, teacher, Mrs. M. Whitson, Mr. Leonard Herman, and the following students of the eighth grade of the Burbank School near San Jose: Anita Balandria, Norma Bryant, Eleanor Butte, Dolores Caldwell, Renee Carter, Mildred Churchill, Frances Clevenger, Charlotte Crain, Mary Frances Emiler, Beverlie Gard, Gatha Hale, Beverly Harris, Carol Friis, Evelyn Keeley, Pat Martin, Kathleen Martin, Eunice Paulsen, Rose Marie Piazza, Dolores Rodriguez, Nancy Steingruiber, Lou Ann Hines, Harry Pann, Leonard Bradley, Frank Brown, Ed Caballero, Elwyn Clewett, Jack Hall, James Fletcher, Stanley Gazay, Gerry Whitmarsh, Leland Keeley, Delmer Lansing, Sal Lopez, Joe Lo Tempio, Bruce Mason, Rooney Goldberg, Dick Lathrop, Howard Davis, James Mesi, Richard Mendence, Donald Pedro, Clifford Price, Richard Renolds, Ralph Salmon, Henry Silva, Albert Stockwell, Glenn Tanner, Cloyd Williams, and Bobby Elliott.

On request of Senator Burns, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Kyle B. Jones, Mr. Ira M. Shipman, and Mr. Bob Sharp of Miramonte, and Mr. Richard Irvine and Mr. Gilbert H. Castle of Dunlap.

On request of Senator DeLap, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Arch Campbell, Mrs. Ruth Martin, teacher, and the following students of the seventh and eighth grade classes of the Alamo Grade School, Contra Costa County: Jean McCoy, Elizabeth Jonker, Bernice Calvin, Kay Cunningham, Lois Schmidt, May Stahr, Ray Beauchamp, Charles Lundgren, Janice Lee Van Tassell, Glorietta Rose, Janet Linder, Gloria Hildebrand, James Reinheimer, Dick Gretler, Clyde Billman, Byington Campbell, Bob Teicheira, Suzanne Benoy, Ann Smith, Ted Johnson, Bill Peare, and Norman Browne.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Morell, Principal, Mrs. Palmer, Instructor, Mrs. Hamilton, and the following students of the Modesto Union Academy: Margie Messer, Lorena Krier, Midgie Hysler, Beulah Vickers, George West, Richard Rogers, Betty Beach, Ralph Puerchel, Louis Venden, Jimmie Johnson, Richard Baker, Marna Frye, Ted Thorn, Eddie Macomber, Richard Schonert, LeRoy Gearing, Jimmie Myers, Kenneth Patterton, Robert Orser, Robert Procter, Carol Giffen, Barbara Drullinger, Kittie Carter, and Carolene Olson.

On request of Senator Jespersen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Paul Rasmussen of Atascadero, and Mrs. E. A. McFadden of Sacramento.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Lois Tuchler and J. A. Suden of San Francisco.

On request of Senators Kraft, Ward, and Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. W. Brown.

COMMUNICATIONS

The following communications were received, read, and ordered printed in the Journal:

UKIAH, CALIFORNIA, April 15, 1947

Joseph A. Beek

*Secretary of the Senate
Sacramento, California*

MY DEAR MR. BEEK: Your letter and the accompanying Senate resolution adopted in honor of my dear husband, A. R. O'Brien, have been received and are appreciated both now and in the future, when such tokens of esteem will be a great comfort.

The sentiments expressed in the resolution add to the feeling of pride I have always had in my life companion.

The make-up of the resolution is a marvel. I know my husband would have been proud to know such beautiful printing and workmanship have been used in a memorial in his honor.

As Secretary of the Senate will you please convey to that body my heartfelt thanks.

Sincerely,

MARGARET H. O'BRIEN

STATE OF CALIFORNIA

DEPARTMENT OF AGRICULTURE, April 21, 1947

Mr. Joseph A. Beek, Secretary of the Senate
*California Legislature, State Capitol
Sacramento 14, California*

DEAR MR. BEEK: This will acknowledge receipt of your communication of April 17th in which you enclosed a copy of Senate Daily Journal for Wednesday, April 16, 1947. I had previously read the resolution on page 1407 regarding the pricing of milk.

At the time the original law was passed making it the duty of this department to establish prices to be paid by distributors to producers for market milk, the custom then was to establish the price on a milk fat basis, and an effort for a good many years had been made to increase the number of cows in dairying herds that produced a high percentage of milk fat. While the matter of using another procedure in arriving at the true value has been considered at numerous hearings, practice still is to establish the price on milk fat.

When the men who objected to this procedure called on us, we told them we had followed the custom which had long been established in setting these prices, that the matter was controversial, and that if a change were to be made, it would be up to the Legislature to direct us in accordance with their suggestion rather than to ask the department to make any change in its present procedure. We are persuaded that the evidence which may be presented for the change at any such hearing by the producers of certain breeds may be just as strenuously opposed by the producers of other breeds.

Under the resolutions, of course, we are very glad to go into the whole matter, but if it is a research matter, it is the duty of the University of California.

Very sincerely yours.

A. A. BROCK, Director

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 40

Assembly Joint Resolution No. 41

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Joint Resolution No. 40—Relative to requesting the War Assets Administration to expedite the appraisal of Angel Island.

Request for Unanimous Consent

Senator Desmond asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 40, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 40

Assembly Joint Resolution No. 40—Relative to requesting the War Assets Administration to expedite the appraisal of Angel Island. Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Cunningham, DeLap, Desmond, Deuel, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, Weybret, and Williams—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 41—Relative to issuance of a postage stamp commemorating the centennial of the discovery of gold in California.

Request for Unanimous Consent

Senator Keating asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 41, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 41

Assembly Joint Resolution No. 41—Relative to issuance of a postage stamp commemorating the centennial of the discovery of gold in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Ward, Watson, Weybret, and Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 36

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Joint Resolution No. 18—Relative to memorializing the Congress and the President of the United States in relation to migratory game birds;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-second day of April, 1947, at 3 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 21—An act to add Section 6018 to the Revenue and Taxation Code, relating to the sales and use taxes;

Senate Bill No. 1552—An act to repeal Division 7 of, and add Division 7 to, the Citrous Pest District Control Act, relating to citrous pest control districts, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1947, at 3 p.m.

POWERS, Chairman

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 1241

Senate Bill No. 744

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 8; absent 3.

GORDON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:

Senate Bill No. 934

Assembly Bill No. 730

Assembly Bill No. 740

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

GORDON, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 870

Senate Bill No. 871

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 690

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 7; noes 1; absent 3.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 406

Senate Bill No. 1107

Senate Bill No. 685

Senate Bill No. 1394

Senate Bill No. 879

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:
Senate Bill No. 380

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Finance.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 691

Senate Bill No. 872

Senate Bill No. 692

Senate Bill No. 905

Senate Bill No. 693

Senate Bill No. 921

Senate Bill No. 866

Senate Bill No. 922

Senate Bill No. 869

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Assembly Bill No. 1305

Assembly Bill No. 1308

Assembly Bill No. 1306

Assembly Bill No. 1309

Assembly Bill No. 1307

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Assembly Bill No. 1107

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; noes 1; absent 3.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Senate Bill No. 1561

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 10; committee vote: Ayes 6; absent 4.

DILLINGER, Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, April 21, 1947

MR. PRESIDENT: The Committee on Judiciary, to which was referred:

Senate Bill No. 465

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 7; absent 5.

KEATING, Chairman

Above reported bill ordered to second reading.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Weybret:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation to provide for participation by the State of California in public celebrations and exhibits to be held throughout the State during 1948, 1949, and 1950, commemorating significant events in the history of the State, declaring the urgency thereof and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR WEYBRET

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 23, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bill was introduced, and read the first time:

Senate Bill No. 1562: By Senator Weybret—An act making an appropriation to provide for participation by the State of California in public celebrations and exhibits to be held throughout the State during 1948, 1949, and 1950, commemorating significant events in the history of the State, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Finance.

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****CONSIDERATION OF ASSEMBLY AMENDMENTS****Senate Bill No. 359**—An act to repeal Article 2, Chapter 7, Part 4, Division 5, of the Water Code, relating to the Revolving Fund of the Reclamation Board, and providing for the abolition of, and the disposal of the money in, said fund.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 359?

Amendment No. 1

On page 1, line 1, of the printed bill, after "Division 5", insert "of the Water Code".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 359 by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Rich, Saleman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—None.

Above bill ordered enrolled.

MOTIONS TO RECONSIDER

Senate Bill No. 1304—An act to amend Section 4041.21 of the Political Code, relating to the jurisdiction and powers of boards of supervisors.

Motion to Reconsider Waived

Senator Hatfield waived his motion to reconsider the vote whereby Senate Bill No. 1304 was passed.

Senate Bill No. 1304 ordered transmitted to the Assembly.

SECOND READING OF SENATE BILLS

Senate Bill No. 880—An act to add Section 46.5 to the State Water Resources Act of 1945 and Sections 18 and 19 to the Flood Control Fund Act of 1946, relating to flood control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Water Resources:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "two hundred thirty-eight thousand dollars (\$1,238,000)", and insert "eight hundred twenty-six thousand dollars (\$1,826,000)".

Amendment No. 2

On page 1 of the printed bill, strike out lines 10 to 24, inclusive.

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 to 16, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

Senate Bill No. 233—An act to add Section 5012.1 to the Public Resources Code, relating to the granting of easements to public utilities across state park lands.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 11, inclusive, and insert "5012.1. The State Park Commission upon application by any public utility, either publicly or privately owned, may specify the location, manner of construction, and maintenance of light, power, gas, water, telephone and telegraph lines across state park lands under the jurisdiction of the State Park Commission, when the commission finds that the construction and maintenance of such utility structures do not interfere with the development, use and enjoyment of the State Park System, provided that if at any time the location of such structures interferes with the development, use and enjoyment of the state park on which they are located they will, on demand of the commission, be moved to another location, designated by the commission, at the expense of the owner thereof.

The commission may, upon application therefor, grant easements, upon terms and conditions prescribed by the commission, for such public utility structures across state park lands when in their judgment the public necessity requires that the structure be permanent and the nature of the structure may reasonably be permanently located or may be of a nature, such as underground construction, that would not interfere with the development of the state park."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 832—An act to amend Sections 6210.3, added by Chapter 641 of the Statutes of 1943, 6504, 6895, and 7301 of, and to add Sections 6327, 6403, 6505.5, 6506, 6507, 6508, 6509, and 7405.1 to, the Public Resources Code, and to repeal Chapter 778 of the Statutes of 1931, relating to public lands.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 1

On page 2, line 41, of the printed bill, after "from", insert "and construction of drainage facilities into".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 277—An act to add Section 743.7 to the Vehicle Code, relating to criminal proceedings and evidence of intoxication of drivers.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, after "vehicle", and before the comma, insert "while under the influence of intoxicating liquor".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 278—An act to amend Sections 501 and 502 of the Vehicle Code, relating to the driving of vehicles.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Senate on March 31, 1947, after "granted", insert "to a person 21 years of age or over".

Amendment No. 2

On page 1 of said bill, between lines 18 and 19, insert "Nothing in this section shall prohibit a court from granting probation to a minor under the age of 21 years."

Amendment No. 3

On page 2, line 10, of said bill, after "granted", insert "to a person 21 years of age or over".

Amendment No. 4

On page 2 of said bill, after line 13, insert "Nothing in this section shall prohibit a court from granting probation to a minor under the age of 21 years."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 307—An act to amend Section 459 of the Penal Code, and to add Section 504.1 to the Vehicle Code, relating to definition of burglary.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "motor".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1009—An act to amend Sections 27146 and 27154 and to repeal Section 27246 of the Streets and Highways Code, relating to bridge and highway districts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 847—An act to amend Sections 26451 and 26453 of the Health and Safety Code, relating to packages of or packaged or enclosed food.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out the period, and insert ", or to the purchaser, when so wrapped or enclosed on the retailer's premises; provided however, that if such wrapping or enclosure is so provided before an order for the food so wrapped or enclosed is received from a purchaser, the same must be plainly marked with the common or usual name of the food together with the quantity of the contents in terms of weight, measure or numerical count."

Amendment No. 2

On page 1 of said bill, strike out lines 15 to 21, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

Senate Bill No. 990—An act to add Part 4 to Division 5 of the Health and Safety Code, and Chapter 3 to Division 1 of the Water Code, to renumber Sections 5439 and 5445 of the Health and Safety Code, and to repeal Articles 2 and 3 of Chapter 6 of Part 3 of Division 5 of the Health and Safety Code, relating to waste disposal, liquid, gaseous, and solid, including but not limited to the protection of the quality of waters of the State, requiring permits therefor, providing for the administration and investigation thereof by the State Department of Public Health, the Department of Public Works, and the Department of Natural Resources, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

Strike out the title of the printed bill, as amended in the Senate on April 9, 1947, and insert

"An act to add new Section 106.6, and Chapter 3 to Division 1 of the Water Code, relating to the protection of the quality of underground waters from pollution and contamination from the disposal of sewage and industrial wastes; providing for the investigation of underground water conditions by the Department of Public Works; providing remedies for the control and prevention of such pollution and contamination; providing for powers and duties of the Department of Public Works in connection therewith; making an appropriation therefor; and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said printed bill, strike out lines 1 to 8, inclusive; and in line 10, strike out "5900", and insert

"SECTION 1. Section 106.6 is added to the Water Code, to read as follows: 106.6."

Amendment No. 3

Strike out all of pages 2, 3, 4, 5, and 6 of said printed bill; and on page 7, strike out lines 1 to 35, inclusive.

Amendment No. 4

On page 8, line 9, of said printed bill, after "buildings", strike out the comma and the balance of the line; strike out line 10; and in line 11, strike out "Code".

Amendment No. 5

On page 8, line 14, of said printed bill, strike out "liquid or"; and in line 15, strike out "gaseous", and insert "or liquid".

Amendment No. 6

On page 8, line 16, of said printed bill, after "in water," strike out the balance of the line; strike out lines 17 and 18; and in line 19, strike out "or which" at the beginning of the line, and insert "which does or".

Amendment No. 7

On page 8, line 20, of said printed bill, after "purpose", strike out the comma and the balance of the line; strike out line 21; and in line 22, strike out "ment of life or property".

Amendment No. 8

On page 8 of said printed bill, strike out lines 24 to 37, inclusive.

Amendment No. 9

On page 8, line 43, of said printed bill, strike out to and including "Code", and insert "this chapter".

Amendment No. 10

On page 8, line 44, of said printed bill, before "sources", insert "underground".

Amendment No. 11

On page 8, line 45, of said printed bill, strike out "of", and insert "within".

Amendment No. 12

On page 8, line 48, of said printed bill, after "any", insert "underground".

Amendment No. 13

On page 9 of said printed bill, strike out lines 4 to 14, inclusive.

Amendment No. 14

On page 9, line 15, of said printed bill, strike out "414", and insert "412"; and after "each", insert "underground".

Amendment No. 15

On page 9, lines 18 and 19, of said printed bill, strike out "to which", and insert "that,"; and in line 19, strike out "unduly", and insert "unreasonably".

Amendment No. 16

On page 9, line 23, of said printed bill, strike out "415", and insert "413".

Amendment No. 17

On page 9, line 25, of said printed bill, strike out "such source", and insert "underground source of water supply".

Amendment No. 18

On page 9, line 27, of said printed bill, strike out "416", and insert "414".

Amendment No. 19

On page 9, line 33, of said printed bill, after "any", insert "underground".

Amendment No. 20

On page 9, line 40, of said printed bill, strike out "417", and insert "415".

Amendment No. 21

On page 9, line 41, of said printed bill, after "Works", strike out the balance of the line; and in line 42, strike out "the State Department of Public Health".

Amendment No. 22

On page 9, line 43, of said printed bill, strike out "418", and insert "416".

Amendment No. 23

On page 9, line 46, of said printed bill, after "any", insert "underground".

Amendment No. 24

On page 9, line 47, of said printed bill, strike out "shall be", and insert "is".

Amendment No. 25

On page 9 of said printed bill, strike out lines 49 and 50, and insert "is prima facie evidence of the physical facts therein found; but the court shall hear such evidence as may be offered by any party to rebut the report or the prima facie evidence."

Amendment No. 26

On page 10, line 2, of said printed bill, strike out "Summary".

Amendment No. 27

On page 10 of said printed bill, strike out lines 4 to 7, inclusive.

Amendment No. 28

On page 10, line 8, of said printed bill, strike out "426. Upon and after such service it", and insert "425. It"; and in line 9, strike out "such".

Amendment No. 29

On page 10, line 12, of said printed bill, after "any", insert "underground"; strike out "described"; and strike out lines 13, 14, and 15, and insert "that does or may unreasonably limit or restrict use".

Amendment No. 30

On page 10, line 17, of said printed bill, strike out "427", and insert "426".

Amendment No. 31

On page 10, line 19, of said printed bill, strike out "as provided by law".

Amendment No. 32

On page 10, line 21, of said printed bill, strike out "428", and insert "427".

Amendment No. 33

On page 10 of said printed bill, strike out lines 26 to 48, inclusive, and insert "SEC. 3. This act shall remain in effect for the period of two years from and after its effective date."

Amendment No. 34

On page 10 of said printed bill, strike out line 49, and insert "SEC. 4. The sum of sixty-five thousand dollars (\$65,000), or so".

Amendment No. 35

On page 10, line 52, of said printed bill, strike out "Part 4 of"; and on page 11, strike out lines 1 to 9, inclusive, and insert "this act, for expenditure by the Department of Public Works acting by and through the State Engineer, for such purpose, during the Ninety-eighth and Ninety-ninth Fiscal Years."

Amendment No. 36

On page 11, line 10, of said printed bill, strike out "7", and insert "5".

Amendment No. 37

On page 11 of said printed bill, strike out lines 17 to 19, and insert "sified the discharge of sewage and industrial wastes into the underground waters within the State limiting the availability thereof for beneficial purposes, requiring immediate remedial measures for the protection of the public interest and welfare, and requiring that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

Senate Bill No. 805—An act to add Chapter 7 to Part 1 of Division 5 of the Health and Safety Code, comprising Sections 4010 to 4038, inclusive, and to add Section 40010 thereto, thereby consolidating and revising the law relating to water for domestic purposes and sanitary water systems, and repealing acts and parts of acts specified therein.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health and Safety:

Amendment No. 1

On page 4, line 15, of the printed bill, strike out "40010", and insert "40020".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 487—An act to repeal Sections 20703 and 20752 of the Health and Safety Code, and to amend Sections 20750, 20751, 20757, 20759, and 20800 of, and to add Sections 20703, 20763, and 20764 to, the Health and Safety Code, relating to the sale of poisons.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 616—An act to amend Sections 2559, 2571, and 10616 of, to add Section 10631 to, and to repeal Sections 10010, 10011, and Chapter 4 of Division 3 consisting of Sections 2100, 2101, 2102, 2103, 2104, 2105, and 2106 of, the Health and Safety Code, relating to protection of the public health through the registration, reporting, quarantine, and control of communicable disease, and the registration of vital statistics.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 646—An act to amend Section 69a of the Civil Code and Sections 10526, 10530, 10531, 10532, 10533, 10534, and 10551 of,

and to repeal Section 10527 of, the Health and Safety Code, relating to marriage.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1254—An act to amend Section 3 of an act entitled "An act to regulate, and to prohibit fraud and deception in, the sale of olive oil, imitation olive oil, and other edible oils, to repeal an act entitled 'An act to regulate the sale of imitation olive oil, and to repeal an act entitled "An act to regulate the sale of olive oil," approved March 10, 1891," approved March 23, 1893, and to amend Section 28480 of the Health and Safety Code, relating to the blending of olive oil.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 309—An act to amend Section 13 of the Construction and Employment Act, relating to the types of projects to be constructed by counties pursuant to said act.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1050—An act to amend Section 1515 of the Penal Code, relating to testimony of witnesses at inquest.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, after "be", insert "reduced to writing or".

Amendment No. 2

On page 1, line 5, of the printed bill, after "may," insert "if recorded,".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 641—An act to repeal Section 6028 of the Penal Code and to add Sections 6028, 6028.1, 6028.2, and 6028.3 thereto, relating to the functions of the Board of Corrections, authorizing the Governor to create special commissions to assist the board in the study of crime, and specifying the powers and duties of such commissions and of the board in relation thereto.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 143—An act to add Section 3266 to the Civil Code, relating to the liability of banks for payment of forged, raised or unauthorized checks.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 3 to 21, inclusive, and insert "3266. If a bank pays and charges to the account of a depositor a forged, raised or unauthorized check issued in the name of such depositor and the depositor fails to give written notice to the office or branch of the bank on which the check was drawn that the check so paid is forged, raised or unauthorized within 30 days after the return to the depositor of the voucher representing such payment or within 60 days after the date

the check was paid, if the depositor fails to secure the return of the voucher, then the bank shall not be liable to the depositor for the amount of any other forged, raised or unauthorized check which it may pay and charge to the account of the depositor after said 30-day period or said 60-day period, as the case may be, which is forged, raised or issued without authority of said depositor by the same person who forged, raised or issued the check as to which notice was not given as herein provided."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

Senate Bill No. 1314—An act to amend Section 131 of the Civil Code, relating to divorce, including actions and causes of action therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1381—An act to amend Section 1244 of the Code of Civil Procedure, relating to allegations in complaint in proceedings in eminent domain.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 825—An act to add Section 20571 to the Water Code, relating to irrigation districts and assessments of irrigation districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 418—An act to add Sections 22252.1 and 22252.2 to the Water Code, relating to irrigation districts and the distribution of water in irrigation districts, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Water Resources:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on January 31, 1947, after the second "to", insert ", and to amend Section 22257 of".

Amendment No. 2

On page 1, line 3, of said bill, after "board", insert "by the unanimous vote of all of the directors present".

Amendment No. 3

On page 1, line 6, of said bill, strike out "50 percent of".

Amendment No. 4

On page 1, line 7, of said bill, strike out "charges per acre for the preceding year", and insert "charge for the water applied for".

Amendment No. 5

On page 1, line 17, of said bill, strike out "March", and insert "April".

Amendment No. 6

On page 2 of said bill, between lines 11 and 12, insert

"SEC. 3. Section 22257 of the Water Code is amended to read:

22257. Each district shall establish equitable rules for the distribution and use of water, which shall be printed in convenient form for distribution in the district. A district may refuse to deliver water through a ditch which is not clean or not in suitable condition to prevent waste of water and may determine through which of two or more available ditches it will deliver water."

Amendment No. 7

On page 2, line 12 of said bill, strike out "3", and insert "4".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

Assembly Bill No. 2467—An act to provide for works for development and protection of the beach at Ocean Beach and providing for the continued availability therefor of funds presently available under agreement pursuant to Chapter 942, Statutes of 1941.

Bill read second time, and ordered to third reading.

Assembly Bill No. 677—An act to amend Section 1170 of the Harbors and Navigation Code, relating to pilotage rates.

Bill read second time, and ordered to third reading.

Assembly Bill No. 489—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on March 25, 1947, after "husbandry", insert "and shall be exempt from registration".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 638—An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Bill read second time, and ordered to third reading.

Assembly Bill No. 639—An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of Chula Vista, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2649—An act granting certain lands of the State of California to the City of San Diego upon certain trusts and conditions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1153—An act to add Section 9105 to the Government Code, relating to the State Capitol Building, the management thereof, and the assignment and reassignment of space therein, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 222—An act to amend Section 274a of the Code of Civil Procedure, relating to phonographic reporters.

Bill read second time, and ordered to third reading.

Assembly Bill No. 223—An act to add Section 269a to the Code of Civil Procedure, relating to phonographic reporters.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1227—An act to amend Section 869 and to repeal Section 1742 of the Welfare and Institutions Code and to add Section 869.5 thereto, relating to the support of persons committed to the Youth Authority or confined in institutions subject to its jurisdiction.

Bill read second time, and ordered to third reading.

**UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF ASSEMBLY AMENDMENTS**

Senate Bill No. 298—An act to amend Sections 1 and 6 of an act entitled "An act to create an Agricultural Research Study Committee, provide for its powers and duties, and making an appropriation," approved March 12, 1946, relating to the Agricultural Research Study Committee.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 298?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 1 and".

—

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1 of the act cited in the title is amended to read:

Section 1. The Agricultural Research Study Committee, herein called the committee, is hereby created. It shall consist of nine members, to be appointed by and serve at the pleasure of the Governor. Three members shall be representative of the public at large; the other members shall have practical knowledge and experience in the production, processing or distribution of agricultural, horticultural, viticultural, livestock, and dairy or poultry products.

The Director of Agriculture and the Dean of the College of Agriculture of the University of California are ex officio members of the committee. [One] *Two* Members of the Senate appointed by the Senate Committee on Rules, and [one] *two* Members of the Assembly appointed by the Speaker, shall meet with and participate in the work of the committee as ex officio members to the extent that such participation is not incompatible with their respective positions as Members of the Legislature. The Members of the Legislature so appointed are hereby constituted a legislative interim committee on the subject of this act, with all the powers and duties imposed upon such committees by the Joint Rules of the Legislature.

SEC. 2. Section 6 of said act is amended".

Amendment No. 3

On page 1 of said bill, strike out lines 5 to 9, inclusive, and insert "cease to have existence on and after the ninety-first day after final adjournment of the 1949 Regular Session of the Legislature."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 298 by the following vote:

AYES—Senators Breed, Brown, Busch, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.
 NOES—None.

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS

Senate Bill No. 1375—An act to add a new section to be numbered 55.9 to the Alcoholic Beverage Control Act, relating to credit terms.

Motion to Refer Bill to Inactive File

Senator Gordon moved that Senate Bill No. 1375 be placed on the inactive file.

Motion carried.

Senate Bill No. 1193—An act to amend Section 35f of the Alcoholic Beverage Control Act, relating to license limitation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Crittenden, Desmond, Hatfield, Keating, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Weybret, and Williams—23.
 NOES—Senators DeLap, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Sutton, and Watson—9.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1283—An act to add Section 55.6 to the Alcoholic Beverage Control Act, relating to alcoholic beverages and fair trade contracts with respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.
 NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 185—An act to amend Sections 2453, 2454, 2600, 2621, 2626, 2627, 2628, 2629, 2633, 2670, 2742, 2840, 2841, 2893, 2897 and the article heading of Article 4 of Chapter 2 of Division 5, and to repeal Sections 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2622, 2623, 2624, 2625, 2630, 2631, and 2632 of the Elections Code, relating to sponsor certificates and verification deputies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen,

Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.

NOES—Senator Dilworth—1.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1523—An act to add Section 5082.1 to the Business and Professions Code, relating to registration as a public accountant, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—33.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—34.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 344—An act to repeal Chapters 1, 2, 3, 4, 5, and 6 and to renumber Chapters 10 and 11 to be Chapters 13 and 14, respectively, of, and to add Chapters 1 to 10, inclusive, to, Division 4 of the Agricultural Code, relating to milk and milk products and the production, handling, sale, distribution, and processing thereof and of products resembling or imitating them.

Bill read third time.

Motion to Amend

Senator Hatfield moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 39, of the printed bill, as amended in the Senate on April 1, 1947, following "cows", insert "or goats".

Amendment No. 2

On page 6, line 13, of said bill, insert "Market goat milk may be standardized to a milk fat content of not less than 3.3 percent."

Amendment No. 3

On page 16, line 25, of said bill, strike out the period, and insert ", provided that where Approved Milk Inspection Services have regularly required the issuance of permits to milk products plants, upon the registration and notice in Section 508, such permits may be issued and may be revoked for cause."

Amendment No. 4

On page 16, lines 38 and 39, of said bill, strike out "expire at the end of the calendar year in which it is issued", and insert "be issued for a period not to exceed one year."

Amendment No. 5

On page 17, line 12, of said bill, strike out the comma, and insert a semicolon.

Amendment No. 6

On page 20 of said bill, strike out lines 5 to 16, inclusive, and insert "531. All conveyances, while transporting milk or cream or clean empty containers intended for milk or cream, and all shipping platforms or premises where such containers are held waiting shipment, shall either be enclosed or provided with canvas covering or otherwise afforded protection from the direct rays of the sun, from warm

air, dust, mud, rain and other sources of contamination. No milk or cream or product thereof shall be transported in connection with or close to any other commodity from which it may absorb foreign flavors or which may contaminate it, and no milk or cream or empty containers used for milk or cream shall be hauled in any vehicle used for hauling manure, or garbage, or in any other unclean conveyance. All milk or cream cans or other shipping containers for products of milk shall be handled carefully, and while containing milk, cream or other products of milk, shall be kept right end up. Nothing herein shall be construed to derogate from any powers or authority of the Public Utilities Commission of the State."

Amendment No. 7

On page 28, line 19, of said bill, strike out "Or", and insert a comma.

Amendment No. 8

On page 28, line 20, of said bill, strike out the period, and insert "or sweetening."

Amendment No. 9

On page 50, line 52, of said bill, strike out "proceeding", and insert "proceeding".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 1177—An act to add Sections 8708 and 8709 to Article 6, Chapter 3, Part 4 of Division 5 of the Water Code, relating to the powers and duties of the Reclamation Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Donel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—37.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1474—An act to amend Section 1260 of the Military and Veterans Code, relating to definitions.

Bill read third time.

Motion to Amend

Senator Quinn moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on March 21, 1947, after "definitions", insert "of veterans' associations for purposes of public buildings, parks, and centers therefor".

Amendment No. 2

On page 1 of said bill, after line 17, insert
"SEC. 2. This act shall not become operative until April 1, 1948."

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

MOTION TO PRINT OPINION

Senator Hulse moved that the following opinion of the Legislative Counsel relative to Senate Bill No. 609 be printed in the Journal in 10-point type:

Motion carried.

Opinion of Legislative Counsel

STATE OF CALIFORNIA

OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO 2, CALIFORNIA, April 22, 1947

Senate Bill No. 609—Exemption From Taxation of Irrigation and
California Water District Property—No. 4290*Hon. Ben Hulse**Senate Chamber*

DEAR SENATOR HULSE: We are writing in response to your request for a report upon the background and constitutionality of Senate Bill No. 609, which provides:

(a) All property belonging to an irrigation district or to a district formed under the California Water District Act is held for the carrying out of state purposes;

(b) In order to effectuate such purposes all property belonging to such districts is exempt from all property taxation.

The first statutory provision of which we are aware exempting the property of an irrigation district from taxation is that contained in Section 66 of the California Irrigation District Act, Chapter 189 of the Statutes of 1897, Deering Act No. 3854, which declared:

“The rights of way, ditches, flumes, pipe-lines, dams, water rights, reservoirs, and other property of like character belonging to any irrigation district, shall not be taxed for State and county or municipal purposes.”

While Section 66 was applicable by its own terms to the operative property of an irrigation district used in the distribution of water, it would appear to have also been applicable to the operative drainage, and electric power works of an irrigation district pursuant to that part of Section 1 of Deering Act 2205 codified as Section 22096 of the Water Code, and pursuant to that part of the third sentence of Section 1 of Deering Act 3868 codified as Section 22116 of the Water Code.

At the time that Section 66 was enacted, Section 1 of Article XIII of the Constitution provided:

“* * * property * * * such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation.”

By an amendment to that section adopted November 3, 1914, there was excepted from this exemption:

“such lands and the improvements thereon located outside of the county, city and county or municipal corporation owning the same as were subject to taxation at the time of the acquisition of the same by said county, city and county or municipal corporation; provided, that no improvements of any character whatever constructed by any county, city and county or municipal corporation shall be subject to taxation.”

Since an irrigation district was a state agency, it was held in *Turlock Irrigation District vs. White*, 186 C. 183, that property of an irrigation district outside of the district was not subject to taxation. One judge

dissented on the ground that an irrigation district was similar to a municipal corporation for the purposes of the 1914 amendment.

In 1943 Section 66 was repealed by Chapter 372 of the Statutes of 1943, which repealed the entire California Irrigation District Act. (Prior to such repeal, in both the October 7, 1940, and July 20, 1942, mimeographed drafts of the Irrigation District Law prepared by the California Code Commission, Section 66 was set out in strike-out type to indicate the intention of the commission to propose to the Legislature the repeal of the section (page 6-115 of October 7, 1940 draft, and page 121 of July 20, 1942 draft.) The basis for such repeal was Section 1 of Article XIII of the Constitution as interpreted in the *Turlock* case and later in *Anderson-Cottonwood Irrigation District vs. Klubbert*, 13 C. 2d 191, holding that nonoperative property of an irrigation district within the district was not subject to taxation.

Despite the repeal, it is possible that Section 66 continues to have its former full effect by virtue of Section 29978 of the Water Code, enacted by said Chapter 372, providing:

"The repeals effected by this part shall not be construed to deprive any district or any person or other entity of any substantial right which would have existed or hereafter exist had such repeals not been effected."

It was not until *Rock Creek Water District vs. Calaveras County*, 29 A. C. 1, decided September 17, 1946, that the Supreme Court expressly overruled the *Turlock* case. While the *Rock Creek* case did not involve an irrigation district, but rather a district organized under the California Water District Act, Deering Act No. 9125, the *Rock Creek* case stated that an irrigation district was a municipal corporation for the purposes of the constitutional amendment, and so held with respect to a district formed under the California Water District Act. Whether the Supreme Court would distinguish an irrigation district from such a water district by virtue of Section 66 as continued by Section 29978 it is difficult to predict.

There is at least one theory upon which Section 66 could be made the basis of an exemption of the operative property of an irrigation district outside its boundaries, regardless of the 1914 amendment to Section 1 of Article XIII and regardless of the holding in the *Rock Creek* case. That is contained in Section 13 of Article XI of the Constitution, permitting the Legislature to provide for the supervision, regulation and conduct, in such manner as it may determine, of the affairs of irrigation districts, reclamation or drainage districts organized or existing under any law of this State. *It has been stated in several cases that this provision gives the Legislature plenary power with respect to affairs of such districts, but the holding in those cases was confined principally to the sustaining of a very broad power in the Legislature to classify with respect to such districts contravening constitutional provisions against special laws.* Whether the Supreme Court in a specific case would hold that the Legislature would have plenary power to exempt the property of an irrigation district outside of the boundaries thereof from taxation, cannot therefore be predicted with substantial assurance.

With respect to California water districts we are unable to find any statutory provision exempting them from taxation, although prior

to the *Rock Creek* case it would have been reasonable to believe that the property of such districts outside the boundaries thereof were exempt from taxation on the basis of the *Turlock* case.

There are two theories upon which Senate Bill No. 609 might be held by the courts to exempt the property of irrigation districts and districts formed under the California Water District Act from taxation. The first is the same as that under which an exemption could be had under Section 66, that is, on the basis of the plenary power of the Legislature to provide for irrigation, reclamation, and drainage districts.

The other theory stems from the holdings in *County of San Bernardino vs. Way*, 18 C. 2d 647, at pages 652 to 658, inclusive, and *City of Ojai vs. Chaffee*, 60 C. A. 2d 54, at pages 59 and 60. Those cases permitted a remission of taxes levied for general county purposes when a public purpose was served thereby, it being held in those cases that neither the prohibition against gifts in Section 31 of Article IV of the Constitution nor the provisions of Section 1 of Article XIII requiring uniformity of taxation were offended. On the basis of permitting the remission of taxes when a public purpose is served, it is logical to believe that the courts might sustain a legislative exemption from taxes other than the exemptions specifically provided in the Constitution when a public purpose is served thereby. If this can be done with respect to taxes upon the property of private persons, there would appear to us to be no reason to distinguish the property of a public body even though such property is subject to the provisions of Section 1 of Article XIII applicable to public bodies. As a matter of fact, the remission in the *Ojai* case was as to property which had passed into ownership of that city. The provisions applicable to public bodies in Section 1 of Article XIII were intended to grant certain privileges to public bodies, *not to deny to the Legislature the power to grant the same privileges it might for a similar consideration grant to private persons.*

Very truly yours,

FRED B. WOOD, Legislative Counsel
By J. D. STRAUSS, Deputy

REPORTS OF STANDING COMMITTEES

Committee on Finance

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 1561

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Dillinger asked for, and was granted, unanimous consent to take up Senate Bill No. 1561, at this time, for consideration.

CONSIDERATION OF SENATE BILL NO. 1561

Senate Bill No. 1561—An act making an appropriation for public assistance, including aid to the aged, aid to the needy blind, and aid to needy children, to be expended under the conditions and upon the terms

specified therein, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Dillinger:

Resolved, That Senate Bill No. 1561 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 1561—An act making an appropriation for public assistance, including aid to the aged, aid to the needy blind, and aid to needy children, to be expended under the conditions and upon the terms specified therein, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 1561:

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, April 22, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Senate Bill No. 1561—"An act making an appropriation for public assistance, including aid to the aged, aid to the needy blind, and aid to needy children, to be expended under the conditions and upon the terms specified therein, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

The Department of Social Welfare advises me that Congress has not yet acted upon the Deficiency Bill, HR 2849, for the Social Security Administration. If this bill should not become law before May 1st, there will be no federal funds available for aged aid, blind aid or children's aid. Under the provisions of our statutes which apply in the absence of federal funds, some 39,800 aged persons would be denied aid for lack of 15 year's residence, and a majority of the remaining 131,600 would have their grants reduced by \$5.

Of the 6,300 blind persons estimated to receive aid during May and June, about 700 would not be eligible for residence reasons. Aid to needy children would continue in the same manner and for the same amounts as heretofore.

It is the opinion of the Director of Social Welfare that Congress will pass the Deficiency Bill, but not in sufficient time for it to be effective by May 1st. If no legislation is enacted and the State should operate under our present laws as though no federal funds were to be received, the State would not be eligible for reimbursement from the Federal Government as our requirements would be more restrictive than permitted under the federal act.

It is the director's suggestion that emergency legislation such as this bill be introduced to be passed before May 1st in order to provide state funds in an amount equal to anticipated federal funds for assistance for the months of May and June, with a provision for reimbursement when federal funds are received, and to provide that the eligibility conditions operative under the receipt of federal funds will remain effective during the months of May and June even though no federal funds may be received.

The amount of federal funds involved for the months of May and June to continue assistance on the present basis is as follows:

<i>Assistance</i>	<i>May</i>	<i>June</i>	<i>Total</i>
Aged -----	\$4,200,375.35	\$4,216,282.81	\$8,416,658.16
Blind -----	155,260.80	156,646.89	311,907.69
Children -----	259,210.82	268,583.72	527,794.54
	<hr/> \$4,614,846.97	<hr/> \$4,641,513.42	<hr/> \$9,256,360.39

There is now available in the Social Welfare Fund approximately \$103,000 of federal money. This amount is necessary as a reserve for adjustments in both assistance and administrative costs. The figure of \$9,256,360.39 represents the amount necessary to meet the federal share of assistance costs for the two months. It does not involve funds to meet the administrative costs of \$480,294.67 for counties and \$95,946 for the State, because it is believed that federal money will be available before the end of June.

I therefore recommend consideration of Senate Bill No. 1561 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, Parkman, Powers, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 3.05 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 230—An act to add Section 9.3 to, and to repeal Section 9 of, the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1988—An act to amend Section 10971 of the Insurance Code, relating to fraternal benefit insurance.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 614—An act to amend Sections 9765, 9791, 13538, 13571, 13576, and 13579, and to repeal Sections 13572, 13574, 13575, 13577, 13580, and 13604 of, the Government Code, relating to the State Printing Office.

Bill read third time, and presented by Senator Mayo.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, Powers, Quinn, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 411—An act to amend Section 973 of the Labor Code, relating to solicitations for employment.

Motion to Re-Refer Senate Bill No. 411

Senator Hulse moved that Senate Bill No. 411 be re-referred to Committee on Labor.

Motion Withdrawn

Senator Hulse withdrew his motion to re-refer Senate Bill No. 411 to the Committee on Labor.

Assembly Bill No. 2648—An act to add Section 66h to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Tulare, and providing for the appointment of an additional judge and for his compensation.

Bill read third time, and presented by Senator Williams.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, O'Gara, Powers, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 859—An act to amend Sections 51 and 52 of the Public Utilities Act, defining the powers of the Public Utilities Commission, relating to certain transactions of public utilities.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 849—An act to amend Section 9 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—29.

NOES—None.

Motion to Amend Title

Senator Kraft moved the adoption of the following title amendment:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 21, 1947, strike out "amend Section 9 of", and insert "add Section 9.5 to".

Amendment read, and adopted.

Assembly Bill No. 849 ordered printed, and transmitted to the Assembly.

Assembly Bill No. 406—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 424—An act to amend Section 2160.5 of the Welfare and Institutions Code, relating to the eligibility of institution inmates for aid to the aged.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 115—An act to repeal Sections 205 and 206 of, amend Sections 404, 451, 455, and 460 of, and to add Sections 205, 309,

403.12, and 455.7 to, the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read third time.

Motion to Amend

Senator Ward moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on April 21, 1947, strike out "403.12", and insert "403.1".

Amendment No. 2

On page 2, lines 14 and 15, of said bill, strike out "two one-hundredths of 1 percent (.02%)", and insert "three one-hundredths of 1 percent (.03%)".

Amendment No. 3

On page 2, lines 27 and 28, of said bill, strike out "two one-hundredths of 1 percent (.02%)", and insert "three one-hundredths of 1 percent (.03%)".

Amendment No. 4

On page 4, line 49, of said bill, after "prescribed", insert "to".

Amendment No. 5

On page 6, line 11, of said bill, after "which", insert "waiting period".

Amendment No. 6

On page 6 of said bill, after line 31, insert

"SEC. 11. If at any time the Federal Security Administrator, or other higher authority, rules that the provisions of Section 403.1 as added to the Unemployment Insurance Act by the Fifty-seventh Session of the California Legislature are not in conformity with the provisions of Title III of the Social Security Act or Sections 1601, 1602, and 1603 of the Internal Revenue Code, then such Section 403.1 shall be nonoperative during such period of nonconformity."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to Section 23 of Article IV of the Constitution of said State, relating to the compensation of Members of the Legislature.

Resolution read, and presented by Senator Breed.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried. Time, 4 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 29—Relative to memorializing Congress to relieve the State of California's taxation problem created by the presence in the State of vast amounts of federally-owned, tax-exempt real property.

Resolution read, and presented by Senator Tenney.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Judah, Keating, Kraft,

McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Weybret—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 36—Relative to establishing September 17th as Constitution Day.

Resolution read, and presented by Senator Salsman.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Senators Busch, Carter, Collier, Crittenden, Dillinger, Dilworth, Donnelly, Hatfield, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Tenney, and Ward—20.

NOES—Senators Cunningham, DeLap, Desmond, Deuel, Judah, McCormack, Parkman, Rich, Swing, Watson, Weybret, and Williams—12.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1073

Senator McBride moved that Senate Bill No. 1073 be withdrawn from Committee on Financial Institutions, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1073—An act to add Section 11603.5 to the Insurance Code, relating to the capital requirements of reserve basis insurers.

Bill read second time.

Motion to Amend

Senator McBride moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 11603.5 is added to the Insurance Code, to read:

11603.5. An incorporated insurer authorized by law to transact liability insurance shall upon application be permitted to transact fire insurance if not expressly prohibited by its charter, if the paid-in capital of such insurer is not less than two hundred thousand dollars (\$200,000) in excess of the paid-in capital requirements for such classes of insurance as such carrier may be authorized to transact. No insurer shall be authorized to transact fire insurance under the provisions of this subsection unless at the date it is so authorized it possesses in addition to the minimum paid-in capital herein required a reasonable surplus in an amount to be determined by the commissioner."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 329

Senator Williams moved that Senate Bill No. 329 be withdrawn from Committee on Public Health and Safety, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 329—An act to add Section 8961.3 to the Health and Safety Code, relating to the permissible uses of cemeteries maintained by public cemetery districts.

Bill read second time.

Motion to Amend

Senator Williams moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 9, 1947, strike out lines 4 to 14, and insert

"§961.3. A district formed prior to the adoption of this section may acquire and maintain a mausoleum if construction thereof was completed at least ten years prior to May 1, 1947. The construction of additional crypts shall not be permitted."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 440

Senator Desmond moved that Senate Bill No. 440 be withdrawn from Committee on Judiciary, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 440—An act to amend Section 690.19 of the Code of Civil Procedure, relating to exemption of life insurance proceeds from attachment.

Bill read second time.

Motion to Amend

Senator Desmond moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, commencing in line 5 thereof, strike out "one thousand dollars (\$1,000)", and insert "five hundred dollars (\$500)".

Amendment No. 2

On page 1 of the printed bill, commencing in line 9, strike out "one thousand dollars (\$1,000)", and insert "five hundred dollars (\$500)".

Amendment No. 3

On page 1, line 11, of the printed bill, following the period, insert

"In addition to the foregoing, all moneys, benefits or privileges belonging to or insuring to the benefit of the insured's spouse or minor children growing out of life insurance purchased with annual premiums not exceeding five hundred dollars (\$500), or if such annual premiums exceeded that sum, a like exemption shall exist in favor of such person which shall bear the same proportion to the moneys, benefits or privileges growing out of such insurance that five hundred dollars (\$500) bears to the whole annual premiums paid."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 972

Senate Bill No. 1561

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 48
Assembly Bill No. 161
Assembly Bill No. 433
Assembly Bill No. 576

Assembly Bill No. 819
Assembly Bill No. 1800
Assembly Bill No. 2157
Assembly Bill No. 1631

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 48—An act to amend Sections 18933, 18936, and 18937 of the Government Code, relating to the establishment of eligible lists for employment or promotion in the state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 161—An act to add Sections 34.5, 452.5, 452.10, 694.10, and 697.5 to the Vehicle Code, relating to trolley coaches.

Referred to Committee on Transportation.

Assembly Bill No. 433—An act making an appropriation in augmentation of the appropriation in Item 200 of the Budget Act of 1945, for support of the Division of Forestry, Department of Natural Resources.

Referred to Committee on Finance.

Assembly Bill No. 576—An act to amend Section 3300 of the Health and Safety Code, relating to grants-in-aid for the care and treatment of persons suffering from tuberculosis or susceptible thereto.

Referred to Committee on Public Health and Safety.

Assembly Bill No. 819—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Referred to Committee on Local Government.

Assembly Bill No. 1631—An act to amend Section 27146 and to repeal Section 27246 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

Assembly Bill No. 1800—An act to amend Sections 6409, 6413, and 6500 of the Labor Code, relating to industrial injury reports.

Referred to Committee on Labor.

Assembly Bill No. 2157—An act to amend Sections 25, 26, 951, 953, and 10050 of the Elections Code, relating to primary elections.

Referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1561

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 374

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 766

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

QUINN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 22, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 1355

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

QUINN, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 1282

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 610

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

Above reported bill ordered to second reading.

Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which were referred:

Senate Bill No. 669

Senate Bill No. 670

Senate Bill No. 1078

Senate Bill No. 1081

Senate Bill No. 1082

Assembly Bill No. 844

Assembly Bill No. 845

Assembly Bill No. 2150

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

McBRIDE, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Assembly Bill No. 846

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

McBRIDE, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 254—An act to amend Sections 3 and 5 of an act entitled "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," approved April 23, 1945, relating to maximum sustained productivity of the forest lands of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH

At 4.35 p.m., on motion of Senator Breed, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 7 adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Hatfield, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Salsman, Swing, Tenney, Ward, Weybret, and Williams—27.

NOES—Senators Donnelly, Gordon, Hulse, Keating, McCormack, Quinn, Rich, Slater, Sutton, and Watson—10.

Motion to Reconsider

Senator Gordon moved to reconsider the vote whereby Assembly Constitutional Amendment No. 7 was adopted.

Postponement of Reconsideration

On motion of Senator Gordon, the further consideration of the motion to reconsider the vote whereby Assembly Constitutional Amendment No. 7 was adopted, was continued until the next legislative day.

ADJOURNMENT

At 4.38 p.m., on motion of Senator Keating, the President declared the Senate adjourned until 1.30 p.m., Thursday, April 24, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FIFTY-FIRST LEGISLATIVE DAY

ONE HUNDRED NINTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, April 24, 1947

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Weybret, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Keating, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. A. D. Truett and Mrs. L. F. Lewis of San Rafael.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. William R. Lee and Mr. Nick Girimonti of Dunsmuir.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rev. and Mrs. George E. Hahn of Glendora.

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. O. R. Shelley of Linden.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Dorothy Cragen, Superintendent of Schools of Inyo County, and Mr. Herbert Gwinn, School Supervisor of Inyo County.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Fred Casto of Big Bear Lake.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ezra E. Smith of Riverside.

On request of Senators O'Gara and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. John Richard Hume of Berkeley.

On request of Senator Busch, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Arthur Schilder of Ukiah.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Lamoreau and Mr. Wells, Class Supervisors, Mr. Wendell R. Hoar, District Superintendent of Tracy Elementary Schools, and the following students of the Tracy Elementary Schools: Wilma Campbell, Darla Croxton, Flora Cooper, Dolores Abelar, Gay Dempsey, Clara Bastian, Donna Cocanour, Bernice Alegre, Peggy Carter, James Bunner, Jimmy Andujo, Jay Mattson, Joseph Burch, Bennie Byrd, Charles Airrington, Frank Souza, James Blackard, Joey Correia, Robert Doughty, Patrick Campbell, Stanley Darr, Wayne Beyett, Alfred Baltazar, Genevieve De Costa, Jay Dee Dunn, Wesley Dana, Kenneth Carter, Steven Coddington, Jerry Calvin, Bob Castro, Donald Rose, Robert Dunaway, Teresa Caldron, Angel Cuellar, Virginia Lawrence, Betty Bunnell, Gilbert Arellano, Lupe Carranza, Celia Moreno, Lawrence Costa, Wilda Madden, Patty Marks, Barbara Massey, Joann Mathis, Dorothea McCrory, Lois Miller, Gynelle Mobley, Bertha Moreno, Barbara Neves, Elaine Nigg, Florence Obad, Kathryn Patterson, Dereth Pearce, Barbara Peterson, Ramona Popejoy, Sally Rangel, Kathleen Robinson, Wayne Mallory, Manuel Mesta, Ken McClellan, Robert Metcalf, Lee Miller, Robert Milligan, George Moore, Charles Morris, Ralph Munoz, Alton Patterson, George Pereira, Jay Phillips, James Plummer, Burton Quigley, Paul Ramirez, Charles Richards, Darlene Rego, Patty Moon, Rachel Ortiz, Nell Quigley, Oliver Carranza.

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. D. L. Van Lanen, principal, Mrs. Margaret Anderson, teacher, Mr. J. B. Johnson, clerk, Mrs. O. H. Tobin, Mrs. G. E. Meader, and the following students of the El Dorado Grammar School: Robert McMahons, Betty Padilla, Mary Manning, George Bellah, Isabelle Kelley, Shirley Allen, Florence Meader, Louise Hollywood, Melvin Palen, Clement Ball, Wilbur Mott, Frank Riffey, Andrew Ball, Billy Tobin, Donna Meader, Sally Truscott, Burton Willis, Billy Everett, Darlene Tripp, Ozora Jones, Joan Bressan, Louella Turnboo, Louise Lauer, Edward Manning, Jimmy Johnson.

On request of Senators Hatfield and Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Glenn M. Fountain and Mr. Al Scanlon of Merced.

On request of Senators Busch and Mayo, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Clarence Tindall of Auburn.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 23, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 309

Senate Bill No. 487

Senate Bill No. 616

Senate Bill No. 641

Senate Bill No. 646

Senate Bill No. 1009

Senate Bill No. 1254

Senate Bill No. 1314

Senate Bill No. 1381

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 233

Senate Bill No. 277

Senate Bill No. 278

Senate Bill No. 307

Senate Bill No. 832

Senate Bill No. 1050

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1474

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 344

Senate Bill No. 805

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 31—Relating to the investigation of rheumatic fever;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of April, 1947, at 11 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 119—An act to amend Section 674 of the Code of Civil Procedure, relating to the extinction of liens by staying enforcement of judgments or decrees on appeal;

Senate Bill No. 120—An act to amend Section 2957 of the Civil Code, relating to mortgages;

Senate Bill No. 324—An act to amend Sections 16500, 16501, 16503, 16508, 16521, 16523, 16531, 16533, 16562, and 16581 of the Government Code and to repeal an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, and an act entitled "An act providing for the designation of money in the State Treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, relating to the deposit of state funds;

Senate Bill No. 679—An act to amend Sections 14.2, 15, 16, 16.1, 16.2, and 19.6 of the Fish and Game Code, relating to the general regulatory powers of the Fish and Game Commission;

Senate Bill No. 768—An act to amend Section 20651 of the Education Code, relating to the California Polytechnic School;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of April, 1947, at 11 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 946—An act to amend Section 881 of the Fish and Game Code, relating to use of nets;

Senate Bill No. 947—An act to amend Section 880 of the Fish and Game Code, relating to nets;

Senate Bill No. 1420—An act to add Article 3 to Chapter 1 of Division 2 of the Fish and Game Code, relating to the protection of fish;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of April, 1947, at 11 a.m.

POWERS, Chairman

Chief Assistant Secretary Cleve V. Taylor at the desk

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 155
Assembly Bill No. 317
Assembly Bill No. 391
Assembly Bill No. 469
Assembly Bill No. 606
Assembly Bill No. 610
Assembly Bill No. 776
Assembly Bill No. 830
Assembly Bill No. 992

Assembly Bill No. 1403
Assembly Bill No. 1413
Assembly Bill No. 1422
Assembly Bill No. 1678
Assembly Bill No. 1773
Assembly Bill No. 1843
Assembly Bill No. 1846
Assembly Bill No. 2265
Assembly Bill No. 2301

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 155—An act to amend Sections 11619 and 11621 of the Health and Safety Code, relating to the use of vehicles in the transportation of narcotics.

Referred to Committee on Public Health and Safety.

Assembly Bill No. 317—An act to amend Section 737x of the Political Code, relating to judges' salaries.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 391—An act to add Section 432.5 to the Labor Code, relating to contracts and applications for employment.

Referred to Committee on Labor.

Assembly Bill No. 469—An act to add Article 6 to Chapter 5 and Article 7.5 to Chapter 10 of Part 8, and Article 2.5 to Chapter 8 and Article 1.5 to Chapter 13 of Part 10 of Division 2 of the Revenue and Taxation Code, relating to the exemption of persons dying in the military service from taxes and providing for the refund of taxes so paid.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 606—An act to amend Section 2220 of the Welfare and Institutions Code, relating to suspension or revocation of grants-of-aid to aged persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 610—An act to amend Sections 427, 428, 430, and 432 of the Fish and Game Code, relating to hunting and fishing, and the issuance of licenses therefor.

Referred to Committee on Fish and Game.

Assembly Bill No. 776—An act to amend Section 456 of the Fish and Game Code, relating to shipment of game.

Referred to Committee on Fish and Game.

Assembly Bill No. 830—An act to amend Section 887 of the Fish and Game Code, relating to fishing in Salton Sea.

Referred to Committee on Fish and Game.

Assembly Bill No. 992—An act to amend Sections 795 and 796.2 of, to add Section 795.5 to, and to repeal Section 795.2 of, the Agricultural Code, relating to citrus fruits.

Referred to Committee on Agriculture.

Assembly Bill No. 1403—An act to amend Section 19361 of the Government Code, relating to transfers of employees in the state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1413—An act to amend Section 2055 of the Code of Civil Procedure, relating to examination of witnesses.

Referred to Committee on Judiciary.

Assembly Bill No. 1422—An act to amend Sections 5355 and 5355.1 of the Welfare and Institutions Code, relating to the commitment, parole and discharge of narcotic addicts.

Referred to Committee on Institutions.

Assembly Bill No. 1678—An act to amend Section 19421 of the Business and Professions Code, relating to the California Horse Racing Board.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1773—An act to amend Section 252 of the Unemployment Insurance Act.

Referred to Committee on Social Welfare.

Assembly Bill No. 1843—An act to amend Sections 6650 and 6661 of the Welfare and Institutions Code, and to amend and renumber Section 6656.5 thereof to be Section 6657, relating to patients in state institutions under the jurisdiction of the Department of Mental Hygiene, and making provision concerning the support, funds, and property of such patients.

Referred to Committee on Institutions.

Assembly Bill No. 1846—An act to amend Sections 5040, 5050.3, 5050.7, 5100, 5102, 5103, and 5125 of, to repeal Section 5041 of, and to add Sections 5041 and 5166 to, the Welfare and Institutions Code, relating to mentally ill persons, redefining "mentally ill," and providing for the detention and commitment of mentally ill persons, and the safeguarding of their property pending commitment.

Referred to Committee on Institutions.

Assembly Bill No. 2265—An act to amend Section 694 of the Vehicle Code, relating to width of vehicles.

Referred to Committee on Transportation.

Assembly Bill No. 2301—An act to amend Section 736 of the Fish and Game Code, relating to the taking of fish, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

Senate Bill No. 1241—An act to amend Sections 1065 of the Fish and Game Code, relating to sardines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, after "sardines", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, strike out lines 9 to 14, inclusive; and in line 15, strike out "used", and insert "between August 1st and February 15th".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

Senate Bill No. 744—An act to add Sections 332 and 333 to the Fish and Game Code, relating to motorized travel within secluded and primitive areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 332 and 333," and insert "Section 332".

Amendment No. 2

In the title of said bill, strike out line 2, and insert "relating to wilderness and wild".

Amendment No. 3

On page 1, line 4, of said bill, after "officer", insert "or officer or employee of the Forest Service of the United States Department of Agriculture, or of the Division of Forestry, Department of Natural Resources of California".

Amendment No. 4

On page 1 of said bill, strike out lines 6 to 25, inclusive, and insert "within the boundaries of the following wilderness and wild areas as shown upon that certain map entitled "United States Department of Agriculture, Forest Service, Earle H. Clapp, Acting Chief, National Forests of California, 1940" on file in the office of the Forest Service, United States Department of Agriculture:

Name of Wilderness and Wild Area	National Forest in Which Located
Agua Tibia	Cleveland
Cucamonga	San Bernardino
Devil Canyon-Bear Canyon	Angeles
High Sierra	Inyo, Sierra
Hoover	Mono
Mount Dana-Minarets	Mono, Sierra
San Gorgonio	San Bernardino
San Jacinto	San Bernardino
San Rafael	Los Padres
Ventana	Los Padres

Nothing in this section shall be construed as prohibiting access over any road or trail in any such area to any land to which any person is entitled to possession by such person or any person authorized by him to use such road or trail as a means of access to said land."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Fish and Game.

Senate Bill No. 934—An act to amend Section 1010 of the Fish and Game Code, relating to dealing in mollusks or crustaceans.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 870—An act to add Section 1300.19-1 to Chapter 10 of Division 5 of the Agricultural Code, relating to the time of commencing actions under the provisions of said chapter.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "three (3)", and insert "two (2)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 871—An act to add Section 24.5 to the Agricultural Producers Marketing Act, relating to limitation of actions under said act.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "three (3)", and insert "two (2)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 690—An act to amend Section 479 of, and to add Section 479.5 to, the Agricultural Code, relating to milk drinks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 11, of the printed bill, following "479.5", insert "On and after September 1, 1948".

Amendment No. 2

On page 1, line 14, of the printed bill, strike out the period, and insert "which have been filled and sealed or capped in a milk products plant."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 406—An act to amend Section 1102.3 of the Agricultural Code, relating to eggs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1102.3", and insert "1102.4".

Amendment No. 2

On page 1, line 1, of said bill, strike out "1102.3", and insert "1102.4".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 7, inclusive, and insert

"1102.4. Every person selling eggs to a retailer or manufacturer shall furnish an invoice [or candling certificate] showing the exact size and quality of such eggs according to the standards prescribed by this article *together with the name and address of the person by whom the eggs were sold.*

No invoice shall be required on eggs: (1) sold or delivered by a producer to a dealer or retailer for candling and grading; (2) when packed for sale to the United States Navy or Army if labeled with the United States Department of Agriculture grades; (3) when the containers and subcontainers are packed and certified in accordance with the standards of grade and quality and the grading rules promulgated by the United States Department of Agriculture."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 685—An act to add Section 476.5 to the Agricultural Code, relating to freezing and cold storage of market cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, immediately preceding the period, insert "and the payment therefor".

Amendment No. 2

On page 1 of said bill, after line 9, insert

"Each distributor who purchases from producers fluid milk and/or fluid milk for fluid cream for the purpose of holding in cold storage market cream or concentrated market cream derived therefrom, shall pay to producers not less than the minimum price for Class 3 milk as provided in the stabilization and marketing plan in the area in which such purchases are made, and shall keep a record of all such lots of

fluid milk and/or fluid milk for fluid cream received from each producer. Should such market cream or concentrated market cream be subsequently sold in Class 1 and/or Class 2 and the Class 1 and/or Class 2 price established in the stabilization and marketing plan applicable to the area where such market cream or concentrated market cream is sold exceed the price paid for the fluid milk and/or fluid milk for fluid cream established in the stabilization and marketing plan, the distributor shall pay to the producer the difference between the Class 3 and the Class 1 and/or Class 2 price, less the cost of storage of such market cream or concentrated market cream."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 879—An act to add a new chapter to Division 6 of the Agricultural Code, relating to cooperation with the Federal Government in marketing service functions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 3 of the title of the printed bill, after "functions", insert ", and making an appropriation".

Amendment No. 2

On page 2 of said bill, after line 18, insert

"Sec. 2. There is hereby appropriated to the Department of Agriculture out of any money in the State Treasury, not otherwise appropriated, the sum of ----- dollars (\$-----) to be used in carrying out the purposes of this act. The expenditure of any funds hereby appropriated shall be contingent upon and in accordance with the terms of agreements executed under the provisions of this act."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 1107—An act to amend Section 736 of the Agricultural Code, relating to consolidation of marketing areas.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

Strike out lines 12 to 17, inclusive, of the printed bill, and insert "chapter. When the director finds, after a public hearing in and for each particular marketing area under consideration for consolidation, that conditions of production and distribution are reasonably uniform in two or more such marketing areas wherein stabilization and marketing plans and minimum wholesale and minimum retail prices are in effect, he may consolidate the areas, provided that at said hearings not more than thirty-five (35) percent of the producers supplying the areas proposed to be consolidated do not object to such consolidation."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 1394—An act to amend Section 796.2 of the Agricultural Code, relating to citrus fruits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "796.2", and insert "796.1".

Amendment No. 2

On page 1, line 1, of said bill, strike out "796.2", and insert "796.1".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 3, and insert

"796.1. No lot of citrus fruit failing to conform to the requirements because of serious damage caused by freezing injury may be mixed or blended with other lots of citrus fruit which conform to these requirements, resulting in the concealment of inferior fruit, thereby reducing the percentage of defective fruits in the seriously damaged lots to within the tolerance which is permitted for errors in grading only.

Any packed, [wrapped] lidded citrus fruit which has been in storage or after being shipped fails to meet the requirements of the standards for citrus fruits established in this chapter only by reason of brown rot, blue mold, or green mold which has occurred after packing, shall not be held for violation of the provisions of this chapter on account of such deterioration.

Oranges (except tangerines and mandarins), grapefruit, and lemons when packed shall be *regularly packed throughout* in standard containers as provided and designated for each such citrus fruit in Section 828.83.

All containers of packed citrus fruits when packed [and lidded] shall bear upon them in plain sight and in plainly legible letters on one outside end: The name of the packer thereof together with a sufficiently explicit address to permit ready location of such packer; the number and average diameter of the citrus fruit in the container, except that containers of tangerines, mandarins and limes when not regularly packed, may instead be marked with the cubical capacity of the container; in the case of oranges and grapefruit the name of the variety, if known, and when not known, the words "unknown variety" or "seedlings."

Amendment No. 4

On page 1 of said bill, strike out lines 4 to 25, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 380—An act to add Section 63.5 to the Agricultural Code, relating to the enforcement of the provisions of said code and for that purpose providing for increasing the salaries of county agricultural commissioners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 4 of the title of the printed bill, immediately preceding the period, insert "and making an appropriation therefor".

Amendment No. 2

On page 1, line 21, of said bill, immediately preceding "salary", insert "amount to be used for payment of the".

Amendment No. 3

On page 1, line 22, of said bill, immediately following the comma, insert "or of a commissioner employed for such county in accordance with the provisions of Section 52.5".

Amendment No. 4

On page 1, line 24, of said bill, strike out "its", and insert "the".

Amendment No. 5

On page 1 of said bill, immediately following line 24, insert

"SEC. 2. Out of any moneys in the State Treasury not otherwise appropriated, there is hereby appropriated the sum of one hundred fifty thousand dollars (\$150,000)

for carrying into effect the provisions of Section 63.5 of the Agricultural Code during the 1947-48 Fiscal Year."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 691—An act to amend Section 545 of the Agricultural Code, relating to cheese.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 692—An act to amend Sections 542 and 543 of, and to add Section 542.1 to, the Agricultural Code, relating to pasteurized process and blended cheese and cheese products.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 693—An act to amend Sections 545.5, 546, and 547 of, and to add Section 548 to, the Agricultural Code, relating to sale and labeling of cheese.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 866—An act to amend Section 593 of the Agricultural Code, relating to imitation cream.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 869—An act to add Section 1152.7 to the Agricultural Code, relating to investigations, surveys, and assembling of facts pertinent to marketing.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 872—An act to amend Section 498.5 of the Agricultural Code, relating to qualifications and examinations for dairy inspection officers.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 905—An act to amend Sections 186, 187, 191, and 192 of the Agricultural Code, relating to the control and eradication of the cattle pest known as scabies.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 921—An act to amend Section 22 of the Agricultural Code, relating to the powers of the Director of Agriculture.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 922—An act to amend Section 30 of the Agricultural Code, relating to the agricultural industry.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 465—An act to amend Section 3065 of the Civil Code, providing for liens on logs, lumber and other timber products by persons who by their own labor, or by using their livestock, machinery or appliances, or both, assist in felling, preparing, or transporting logs or in manufacturing lumber or other timber products from such logs, providing for means by which the owner of such logs and products manufactured therefrom may protect himself by a contractor's bond against any liens in excess of the contract price agreed upon between the said

owner and any contractor and making such liens prior to all other liens, claims or encumbrances, except the landowner's claim for a reasonable stumpage in cases where the landowner himself is not the direct employer or contractor, as the case may be.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, lines 12 and 13, of the printed bill, strike out "or to the lumber or other timber products".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 374—An act to amend Sections 608 and 2188 of the Revenue and Taxation Code and to add Section 2188.1 to said code, relating to taxes on improvements, and declaring the urgency thereof to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 27, of the printed bill, as amended in the Senate on April 2, 1947, strike out the period, and insert "; provided, that in order for such tax on improvements to be a lien on any parcel of real property of the owner of such improvements, the fact of such lien must be indicated on the secured roll where any such parcel of real property is listed."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 766—An act to add Section 163 to the Revenue and Taxation Code, relating to the verification of property taxes.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1355—An act to add Section 1882.5 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "may classify property throughout the State for the purposes of equalization and", and insert "; in order to facilitate the equalization of property values between the several counties,".

Amendment No. 2

On page 1 of said bill, after line 7, insert

"For the purpose of this section, the classes of property are defined as:

- (a) All land within the county.
- (b) All improvements within the county.
- (c) All tangible personal property within the county."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

Senate Bill No. 1282—An act authorizing the transfer of buildings of the Department of Professional and Vocational Standards to the Department of Finance, relating to the supervision and operation of state buildings, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on April 17, 1947, after "Finance", insert a period; and strike out "is hereby authorized to accept such".

Amendment No. 2

On page 1 of said bill, strike out line 7.

Amendment No. 3

On page 1, line 8, of said bill, before "Department", insert "The"; and after "Finance", insert "is hereby authorized to accept such transfer and upon such transfer said department".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 610—An act to provide for participation by the State of California in public celebrations and exhibits to be held throughout the State during 1948, 1949, and 1950 commemorating significant events in the history of the State, creating a commission therefor, defining its powers and duties, providing for advisory committees, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Senate on April 14, 1947, after "duties," insert "and".

Amendment No. 2

In lines 6 and 7 of the title of said bill, strike out ", and making an appropriation".

Amendment No. 3

On page 2 of said bill, strike out lines 42 to 47, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 669—An act to add Section 1711.2 to the Insurance Code, relating to nonresident life insurance agents and the powers of the Insurance Commissioner.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 670—An act to add Section 1705.2 to the Insurance Code, relating to life and disability agents' licenses.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1078—An act to amend Section 1500 of the Insurance Code, relating to the appointment, licensing, qualification and regulation of insurance agents, brokers and solicitors.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1081—An act to amend Sections 1324, 1325, 1329, and 1530, and to repeal Section 1331 of the Insurance Code, relating to reciprocal or interinsurance exchanges.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1082—An act to amend Section 1731 of the Insurance Code, relating to the suspension, revocation or denial of insurance licenses.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 730—An act to amend Section 797 of the Fish and Game Code, relating to abalones.

Bill read second time, and ordered to third reading.

Assembly Bill No. 740—An act to amend Section 450.5 of the Fish and Game Code, relating to ocean fishing with spear.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1305—An act to amend Sections 830.1, 830.2, 830.4, and 830.5 of the Agricultural Code, relating to substandard fruits, nuts and vegetables.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1306—An act to amend Section 820 of the Agricultural Code, relating to the packing of tomatoes.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1307—An act to amend Section 787.5 of the Agricultural Code, relating to markings on containers of fruits, nuts and vegetables.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1308—An act to amend Section 784.6 of the Agricultural Code, relating to fancy packs of fruits.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1309—An act to amend Section 771 of the Agricultural Code, relating to certification of grapes for by-products.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1107—An act to amend Section 762.9 of the Agricultural Code, relating to inspection fees for inspection and certification of tomatoes, and declaring the urgency thereof, and to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 844—An act to amend Section 10 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 845—An act to amend Sections 2, 7, and 23.4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2150—An act to amend Sections 10163 and 10479 of the Insurance Code, relating to life insurance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 846—An act to amend Sections 3 and 14 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 7, inclusive, and insert

"1. To admit to membership, those persons qualified for membership, upon payment of an entrance fee.

2. To issue shares to any qualified member and to issue such shares in joint tenancy with any person designated by such member."

Amendment No. 2

On page 2 of said bill, strike out lines 6 and 7, and insert

"6. To deposit and invest any money received by it and not loaned to its members, as provided in Section 6 and Section 6A of this act."

Amendment No. 3

On page 2 of said bill, strike out lines 20 to 22, inclusive, and insert

"12. To purchase, hold, or sell a lot and building such as shall be necessary for the transaction of the business of the credit union, furniture and fixtures, vaults and other personal property such as may be necessary or proper to carry on its business and no credit union shall hereafter invest more than one-fifth of its paid-in and unimpaired capital and surplus in such lot and building and equipment. Any credit union may purchase a lot and building and necessary equipment individually or jointly with other credit unions of affiliated organizations."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

MOTIONS TO RECONSIDER

Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to Section 23 of Article IV of the Constitution of said State, relating to the compensation of Members of the Legislature.

**MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL
AMENDMENT NO. 7**

Pursuant to his motion previously made, Senator Gordon moved that the Senate, at this time, reconsider the vote whereby Assembly Constitutional Amendment No. 7 was adopted.

Previous Question

Senator Collier moved the previous question.

Motion carried.

The question being on the motion to reconsider the vote whereby Assembly Constitutional Amendment No. 7 was adopted.

The roll was called, and Assembly Constitutional Amendment No. 7 refused consideration by the following vote:

AYES—Senators Cunningham, DeLap, Deuel, Donnelly, Gordon, Hulse, Keating, Quinn, Rich, Watson, and Williams—11.

NOES—Senators Breed, Brown, Busch, Collier, Crittenden, Desmond, Dillinger, Dilworth, Hatfield, Jespersen, Judah, Kraft, Mayo, McCormack, O'Gara, Powers, Salsman, Slater, Sutton, Swing, Tenney, and Ward—22.

Assembly Constitutional Amendment No. 7 ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS

Senate Bill No. 233—An act to add Section 5012.1 to the Public Resources Code, relating to the granting of easements to public utilities across state park lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 307—An act to amend Section 459 of the Penal Code, and to add Section 504.1 to the Vehicle Code, relating to definition of burglary.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1009—An act to amend Sections 27146 and 27154 and to repeal Section 27246 of the Streets and Highways Code, relating to bridge and highway districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating, Kraft,

Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 805—An act to add Chapter 7 to Part 1 of Division 5 of the Health and Safety Code, comprising Sections 4010 to 4038, inclusive, and to add Section 40010 thereto, thereby consolidating and revising the law relating to water for domestic purposes and sanitary water systems, and repealing acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 616—An act to amend Sections 2559, 2571, and 10616 of, to add Section 10631 to, and to repeal Sections 10010, 10011, and Chapter 4 of Division 3 consisting of Sections 2100, 2101, 2102, 2103, 2104, 2105, and 2106 of, the Health and Safety Code, relating to protection of the public health through the registration, reporting, quarantine, and control of communicable disease, and the registration of vital statistics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 309—An act to amend Section 13 of the Construction and Employment Act, relating to the types of projects to be constructed by counties pursuant to said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Crittenden, Cunningham, Dillinger, Donnelly, Hatfield, Hulse, Jespersen, Judah, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—25.

NOES—Senators Breed, Carter, Collier, DeLap, Deuel, Dilworth, Keating, Mayo, and McCormack—9.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 4.42 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 277—An act to add Section 743.7 to the Vehicle Code, relating to criminal proceedings and evidence of intoxication of drivers.

Motion to Set Special Order

Senator Judah moved that Senate Bill No. 277 be made a special order of business for Tuesday, April 29, 1947, at 2.30 p.m.

Motion carried.

Senate Bill No. 278—An act to amend Sections 501 and 502 of the Vehicle Code, relating to the driving of vehicles.

Motion to Set Special Order

Senator Judah moved that Senate Bill No. 278 be made a special order of business for Tuesday, April 29, 1947, at 2.30 p.m.

Motion carried.

Senate Bill No. 344—An act to repeal Chapters 1, 2, 3, 4, 5, and 6 and to renumber Chapters 10 and 11 to be Chapters 13 and 14, respectively, of, and to add Chapters 1 to 10, inclusive, to, Division 4 of the Agricultural Code, relating to milk and milk products and the production, handling, sale, distribution, and processing thereof and of products resembling or imitating them.

Bill read third time.

Motion to Amend

Senator Keating moved the adoption of the following amendment offered by Senators Keating, Parkman, Slater, and Ward:

Amendment No. 1

On page 12 of the printed bill, as amended in the Senate on April 1, 1947, strike out lines 19 to 27, inclusive, and insert

"No provision of this division, except subdivision (b) of Section 492, or any rule and regulation of the director is a limitation on the power of a municipality or county to provide for reasonable additional regulations not in conflict therewith requiring standards higher than the minimum requirements for the grades of market milk established in this division; but any municipal or county ordinance or regulation requiring higher standards for milk fat and solids not fat than those established in this division shall apply only to market milk after standardization by a milk distributor."

Amendment read.

Previous Question

Senator Gordon moved the previous question.

Motion carried.

The question being on the adoption of the amendment offered by Senators Keating, Parkman, Slater, and Ward.

Roll Call Demanded

Senators Hatfield, Donnelly, and Quinn demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Senators Breed, Collier, Judah, Keating, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Slater, Swing, and Ward—13.

NOES—Senators Brown, Burns, Busch, Carter, Crittenden, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Kraft, Rich, Salsman, Sutton, Watson, and Williams—20.

Further Consideration of Senate Bill No. 344

Senate Bill No. 344—An act to repeal Chapters 1, 2, 3, 4, 5, and 6 and to renumber Chapters 10 and 11 to be Chapters 13 and 14, respectively, of, and to add Chapters 1 to 10, inclusive, to, Division 4 of the

Agricultural Code, relating to milk and milk products and the production, handling, sale, distribution, and processing thereof and of products resembling or imitating them.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McCormack, Powers, Quinn, Rich, Salsman, Sutton, Swing, Watson, and Williams—28.

NOES—Senators Keating, O'Gara, Parkman, Slater, and Ward—5.

Bill ordered transmitted to the Assembly.

Senate Bill No. 343—An act to amend the heading of Division 4, to renumber Chapters 10 and 11 of Division 4 to be Chapters 13 and 14, respectively, to repeal Chapters 3 and 8 of Division 6, of the Agricultural Code, and to add Chapters 11 and 12 to Division 4 of said code, relating to milk and dairy products and the marketing thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, O'Gara, Powers, Quinn, Slater, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolutions were offered:

Senate Concurrent Resolution No. 37: By Senator Hatfield—Relative to commendation of the California Farm Production Council.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 38: By Senator Kraft—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal general election held therein on the fifteenth day of April, 1947.

Request for Unanimous Consent

Senator Kraft asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 38, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 38

Senate Concurrent Resolution No. 38—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal general election held therein on the fifteenth day of April, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Powers, Quinn, Slater, Sutton, Ward, Watson, and Williams—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 640

Senator Carter moved that Senate Bill No. 640 be withdrawn from Committee on Financial Institutions, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 640—An act relating to insurance, adding Article 19 to Chapter 1, Part 2, Division 1 of the Insurance Code, comprising Sections 1120 to 1139.5, inclusive, amending Section 1282 of said code, regulating the making and use of rates, and granting insurers and rating and other organizations formed to serve insurers in connection with the making or use of rates certain immunities from prosecution under other laws which do not specifically relate to insurance.

Bill read second time.

Motion to Amend

Senator Carter moved the adoption of the following amendments:

Amendment No. 1

On page 10, line 30, of the printed bill, as amended in the Senate on April 21, 1947, before "inclusive", insert "both".

Amendment No. 2

On page 11, line 7, of the printed bill, as amended, strike out "act", and insert "article".

Amendment No. 3

On page 12, line 24, of the printed bill, as amended, insert quotation marks around "wilful" and "wilfully".

Amendment No. 4

On page 18, line 22, of the printed bill, as amended, strike out "terms of this subdivision", and insert "this section".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 619

Senator Carter moved that Assembly Bill No. 619 be withdrawn from Committee on Financial Institutions, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 619—An act relating to insurance and to the payment of commissions and fees in connection therewith, authorizing and regulating rating and other organizations formed to serve insurers and granting certain immunities from prosecution under other laws which do not specifically relate to insurance.

Bill read second time.

Motion to Amend

Senator Carter moved the adoption of the following amendment:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act relating to insurance and to the payment of commissions and fees in connection therewith, adding Article 19 to Chapter 1, Part 2, Division 1 of the Insurance Code, comprising Sections 1120 to 1139.5, inclusive, amending Section 1282 of said code, authorizing and regulating rating and other organizations formed to serve insurers and granting insurers and said organizations certain immunities under other laws which do not specifically relate to insurance.

Amendment No. 2

Strike out all of the bill following the enacting clause, and insert the following:

SECTION 1. Article 19 is added to Chapter 1, Part 2, Division 1 of the Insurance Code, to read:

Article 19. Rates and Rating and Other Organizations

1120. Purpose of This Article. The purpose of this article is to promote the public welfare by regulating insurance rates as herein provided to the end that they shall not be excessive, inadequate or unfairly discriminatory, by authorizing the existence and operation of qualified rating organizations and advisory organizations, by requiring that the rates and rating manuals of such rating organizations be generally available to all admitted insurers, and by authorizing cooperation between insurers in rate making and other related matters.

It is the express intent of this article to permit and encourage competition between insurers on a sound financial basis.

1121. Certain Definitions. As used in this article:

(a) "Rating organization" means any corporation, unincorporated association, partnership or individual, other than an admitted insurer, whether located within or outside this State, which has as its object or purpose the making of rates, rating plans or rating systems. Two or more admitted insurers which act in concert for the purpose of making rates, rating plans or rating systems, and which do not operate within the specific authorizations contained in Sections 1124, 1127, 1128, and 1131 of this article shall be deemed to be a rating organization. No single insurer shall be deemed to be a rating organization.

(b) "Advisory organization" means any corporation, unincorporated association, partnership or individual, other than an admitted insurer, whether located within or outside this State, which prepares policy forms, makes underwriting rules, surveys or inspections incident to but not including the making of rates, rating plans or rating systems, or which collects and furnishes to admitted insurers or rating organizations loss or expense statistics or other statistical information and data and acts in an advisory, as distinguished from a rate making, capacity. No duly authorized attorney at law acting in the usual course of his profession shall be deemed to be an advisory organization.

(c) "Member," unless otherwise apparent from the context, means an insurer who participates in or is entitled to participate in the management of a rating, advisory or other organization.

(d) "Subscriber," unless otherwise apparent from the context, means an insurer which is furnished at its request (1) with rates and rating manuals by a rating organization of which it is not a member, or (2) with advisory services by an advisory organization of which it is not a member.

(e) "Casualty Insurance" means all forms of insurance to which the provisions of this article are applicable and which are included within Sections 105, 107, 108, 110, 112, 114, 115, and, when written by insurers not admitted to transact fire or marine insurance in this State, Sections 111, 116, and 120.

(f) "Wilful" or "wilfully" in relation to an act or omission which constitutes a violation of this article, means with actual knowledge or belief that such act or omission constitutes such violation and with specific intent to commit such violation.

1122. Scope of Article. This article applies to casualty insurance, fidelity, surety and guaranty bonds, all forms of automobile insurance, and to fire, marine and inland marine insurance (inland marine insurance shall be deemed to include insurance now or hereafter defined by statute, or by interpretation thereof, or if not so defined or interpreted, by ruling of the commissioner, or as established by general custom of the business, as inland marine insurance), on risks or on operations in this State. This article does not apply to:

(a) Reinsurance, other than joint reinsurance to the extent stated in Section 1131.

(b) Life insurance.

(c) Insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured under marine, as distinguished from inland marine, insurance policies.

(d) Title insurance.

(e) Disability insurance.

(f) Workmen's compensation and employer's liability insurance incidental thereto and written in connection therewith.

(g) Credit insurance.

(h) Mortgage insurance.

(i) Insurance against loss of or damage to aircraft, their hulls, accessories and equipment, or against liability arising out of the ownership, maintenance or use of aircraft.

1122.5. **Cooperative Action.** Subject to the provisions of this article, two or more insurers may act in concert with each other and with others with respect to any matters pertaining to the making of rates, rating plans or rating systems, the preparation or making of insurance policy or bond forms, underwriting rules, surveys, inspections and investigations, the furnishing of loss or expense statistics or other information and data, or carrying on of research.

1123. **Rating Standards.** The following standards shall apply to the making and use of rates pertaining to all classes of insurance to which the provisions of this article are applicable.

(a) Rates shall not be excessive or inadequate, as herein defined, nor shall they be unfairly discriminatory. No rate shall be held to be excessive unless (1) such rate is unreasonably high for the insurance provided and (2) a reasonable degree of competition does not exist in the area with respect to the classification to which such rate is applicable. No rate shall be held to be inadequate unless (1) such rate is unreasonably low for the insurance provided and (2) the continued use of such rate presently endangers the solvency of the insurer using the same.

(b) Consideration shall be given by rating organizations and insurers, to the extent applicable, to past and prospective loss experience within and outside this State, to conflagration and catastrophic hazards, to a reasonable margin for underwriting profit and contingencies, to past and prospective expenses both Country-wide and those specially applicable to this State, and to all other factors, including judgment factors, deemed relevant within and outside this State; and in the case of fire insurance rates, consideration may be given to the experience of the fire insurance business during the most recent five-year period for which such experience is available.

Consideration may also be given in the making and use of rates to dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers.

(c) The systems of expense provisions included in the rates for use by any insurer or group of insurers may differ from those of other insurers or groups of insurers to reflect the operating methods of any such insurer or group with respect to any kind of insurance, or with respect to any subdivision or combination thereof;

(d) Risks may be grouped by classifications for the establishment of rates and minimum premiums. Classification rates may be modified to produce rates for individual risks in accordance with rating plans which establish standards for measuring variations in hazards or expense provisions, or both. Such standards may measure any difference among risks that have a probable effect upon losses or expenses. Classifications or modifications of classifications of risks may be established based upon size, expense, management, individual experience, purpose of insurance, location or dispersion of hazard, or any other reasonable considerations, provided such classifications and modifications apply to all risks under the same or substantially the same circumstances or conditions.

1124. **Insurers under common management or control and co-surety bonds.** With respect to any matters pertaining to the making of rates or rating systems, the preparation or making of insurance policy or bond forms, underwriting rules, surveys, inspections and investigations, the furnishing of loss or expense statistics or other information and data, or carrying on of research, two or more admitted insurers having a common ownership or operating in this State under common management or control, are hereby authorized to act in concert between or among themselves the same as if they constituted a single insurer, and to the extent that such matters relate to co-surety bonds, two or more admitted insurers executing such bonds are hereby authorized to act in concert between or among themselves the same as if they constituted a single insurer.

1125. **Use of Rates.** Rates, rating plans, and rating systems, and any modifications and amendments thereof, made or adopted by a licensed rating organization may be used, subject to the provisions of this article, by any admitted insurer.

1126. **Agreements to Adhere.** Except as provided in Sections 1124, 1128, and 1131, insurers shall not agree with each other or with rating organizations or others to adhere to rates, rating systems, underwriting rules or policy or bond forms relating to insurance on risks or operations in this State. The fact, however, that two or more admitted insurers use, either consistently or intermittently, the rates or rating systems made or adopted by a rating organization, or the underwriting rules or policy or bond forms prepared by a rating or advisory organization, shall not be sufficient in itself to support a finding that an agreement to so adhere exists, and may be used only for the purpose of supplementing or explaining direct evidence of the existence of any such agreement.

1127. **Exchange of Information and Experience.** Licensed rating organizations and admitted insurers are authorized to exchange information and experience data

with rating organizations and insurers in this and other states and may consult with them with respect to rate making and the application of rating systems.

1128. Agreements to Apportion Insurance. Except with regard to types of insurance to which the provisions of Section 11620 apply, agreements may be made among admitted insurers with respect to the equitable apportionment among them of insurance which may be afforded applicants who are in good faith entitled to but who are unable to procure such insurance through ordinary methods, and with respect to the use of reasonable rate modifications for such insurance, such agreements to be subject to the approval of the commissioner.

All such agreements shall be submitted in writing to the commissioner for his consideration and approval, together with such information as he may reasonably require. The commissioner shall approve only such agreements as are found by him to contemplate (a) the use of rates which meet the standards prescribed by this article and (b) activities and practices that are not unfair, unreasonable or otherwise inconsistent with the provisions of this article.

At any time after such agreements are in effect the commissioner may review the practices and activities of the adherents to such agreements and if after a hearing upon not less than 10 days' notice to such adherents he finds that any such practice or activity is unfair or unreasonable, or is otherwise inconsistent with the provisions of this article, he may issue a written order to the parties to any such agreement specifying in what respects such practice or activity is unfair or unreasonable or otherwise inconsistent with the provisions of this article and requiring the discontinuance of such activity or practice. For good cause, and after hearing upon not less than 10 days' notice to the adherents thereto, the commissioner may revoke approval of any such agreement.

1129. Conduct of Operations by Organizations or Groups. Upon compliance with the provisions of this article applicable thereto any rating organization, advisory organization, or group, association or other organization of insurers which engages in joint underwriting or joint reinsurance through such organization or by standing agreement among the members thereof, may conduct operations in this State. As respects insurance on risks or operations in this State, no insurer shall be a member or subscriber of any such organization, group or association that has not complied with the provisions of this article applicable to it.

1130. Licensing of Rating Organizations. No rating organization shall conduct its operations in this State without first filing with the commissioner a written application for and securing a license to act as a rating organization for such kinds of insurance or subdivisions thereof as are specified in its application. Any rating organization, whether located within or outside the State, may make application for and obtain a license as a rating organization for such kinds of insurance or subdivision or class of risk or a part or combination thereof, as are specified in its application, provided it shall meet the requirements for license set forth in this article. Every such rating organization shall file with its application (a) a copy of its constitution, its articles of incorporation, agreement or association, and of its by-laws, rules and regulations governing the conduct of its business, all duly certified by the custodian of the originals thereof, (b) a list of its members and subscribers, (c) the name and address of a resident of this State upon whom notices or orders of the commissioner or process affecting such rating organization may be served, and (d) a statement of its qualifications as a rating organization.

The fee for filing an application for license as a rating organization is twenty-five dollars (\$25), payable in advance to the commissioner.

1130.1. Licensing Requirements. To obtain and retain a license, a rating organization shall provide satisfactory evidence to the Insurance Commissioner that it will:

(a) Permit any admitted insurer to obtain and use at its option such rating organization's rates and rating manuals at a reasonable cost without discrimination and without any requirement to become a member or subscriber;

(b) Permit any admitted insurer to become a member of or a subscriber to such rating organization or withdraw therefrom;

(c) Neither have nor adopt any rule or exact any agreement, the effect of which would be to require as a condition to membership or subscription any member or subscriber to adhere to its rates, rating plans or rating systems;

(d) Neither adopt any rule nor exact any agreement the effect of which would be to prohibit or regulate the payment of dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policy holders, members or subscribers;

(e) Neither practice nor sanction any plan or act of boycott, coercion or intimidation;

(f) Neither enter into nor sanction any contract or act by which any person is restrained from lawfully engaging in the insurance business;

(g) Submit to examination as prescribed by Section 1132.1 of this article;

(h) Notify the commissioner promptly of every change in its constitution, its articles of incorporation, agreement or association, and of its by-laws, rules and regulations governing the conduct of its business; its list of members and subscribers; and the name and address of the resident of this State designated by it upon whom

notices or orders of the commissioner or process affecting such organization may be served;

(i) Comply with the provisions of Section 1132 of this article.

1130.2. Issuance of Licenses. The commissioner shall examine each application for license to act as a rating organization and the documents filed therewith and may make such further investigation of the applicant, its affairs and its proposed plan of business, as he deems desirable.

The commissioner shall issue the license applied for within 60 days of its filing with him if from such examination and investigation he is satisfied that:

(a) The business reputation of the applicant and its officers is good;

(b) The facilities of the applicant are adequate to enable it to furnish the services it proposes to furnish;

(c) The applicant and its proposed plan of operation conform to the requirements of this article.

Otherwise, but only after hearing upon notice, the commissioner shall in writing deny the application and notify the applicant of his decision and his reasons therefor.

The commissioner may grant an application in part only and issue a license to act as a rating organization for one or more of the classes of insurance or subdivisions thereof or class of risk or a part or combination thereof as are specified in the application if the applicant qualifies for only a portion of the classes applied for.

Licenses issued pursuant to this section shall remain in effect until revoked as provided in this article.

1130.3. Advisory Organizations. No advisory organization shall conduct its operations in this State unless and until it has filed with the commissioner (a) a copy of its constitution, articles of incorporation, agreement or association, and of its by-laws, or rules and regulations governing its activities, all duly certified by the custodian of the originals thereof, (b) a list of its members and subscribers, (c) the name and address of a resident of this State upon whom notices or orders of the commissioner or process may be served, and (d) an agreement that the commissioner may examine such advisory organization in accordance with the provisions of Section 1132.1.

Every such advisory organization shall notify the commissioner promptly of every change in its constitution, its articles of incorporation, agreement or association, and of its by-laws, rules and regulations governing the conduct of its business; its list of members and subscribers; and the name and address of the resident of this State designated by it upon whom notices or orders of the commissioner or process affecting such organization may be served.

No such advisory organization shall engage in any unfair or unreasonable practice with respect to such activities.

1131. Organizations Engaging in Joint Underwriting or Joint Reinsurance. Every group, association or other organization of insurers which engages in joint underwriting or joint reinsurance through such group, association or organization or by standing agreement among the members thereof shall file with the commissioner (a) a copy of its constitution, its articles of incorporation, agreement or association, and of its by-laws, rules and regulations governing its activities, all duly certified by the custodian of the originals thereof, (b) a list of its members, (c) the name and address of a resident of this State upon whom notices or orders of the commissioner or process may be served, and (d) an agreement that the commissioner may examine such group, association or organization in accordance with the provisions of Section 1132.1.

Every such group, association or other organization shall notify the commissioner promptly of every change in its constitution, its articles of incorporation, agreement or association, and of its by-laws, rules and regulations governing the conduct of its business; its list of members; and the name and address of the resident of this State designated by it upon whom notices or orders of the commissioner or process affecting such group, association or organization may be served.

No such group, association or organization shall engage in any unfair or unreasonable practice with respect to such activities.

1132. Maintenance of Records. Every insurer, rating organization or advisory organization or group, association or other organization of insurers which engages in joint underwriting or joint reinsurance shall maintain reasonable records, of the type and kind reasonably adapted to its method of operation, of its experience or the experience of its members and of the data, statistics or information collected or used by it in connection with the rates, rating plans, rating systems, underwriting rules, policy or bond forms, surveys or inspections made or used by it so that such records will be available at all reasonable times to enable the commissioner to determine whether such organization, insurer, group or association, and, in the case of an insurer or rating organization, every rate, rating plan and rating system made or used by it, complies with the provisions of this article applicable to it. The maintenance of such records in the office of a licensed rating organization of which an insurer is a member or subscriber will be sufficient compliance with the terms of this subdivision for any insurer maintaining membership or subscribership in such organization, to the extent that the insurer uses the rates, rating plans, rating systems or underwriting rules of such organization. Such records shall be maintained in an office within this State or

shall be made available for examination or inspection within this State by the commissioner at any time upon reasonable notice.

1132.1. Examination of Organizations and Groups. The commissioner shall, at least once every two years, and may as often as may be reasonable and necessary, make or cause to be made an examination of each licensed rating organization, and he may, as often as may be reasonable and necessary, make or cause to be made an examination of any advisory organization or group, association or other organization of insurers which engages in joint underwriting or joint reinsurance. The reasonable costs of any such examination shall be paid in advance by the rating organization, advisory organization, group, association or other organization of insurers examined. The officers, managers, agents and employees of any such rating organization, advisory organization, group, association or other organization of insurers may be examined at any time under oath and shall exhibit all books, records, accounts, documents or agreements governing its method of operation, together with all data, statistics and information of every kind and character collected or considered by the organization, group or association in the conduct of the operations to which such examination relates.

In lieu of any such examination the commissioner may accept the report of an examination made by the insurance supervisory official of another state.

In examining any organization, group or association pursuant to this section the commissioner shall ascertain whether such organization, group or association, and, in the case of a rating organization, any rate or rating system made or used by it, complies with the requirements and standards of this article applicable to it.

1132.2. Examination of Insurers. The commissioner may, at any reasonable time, make or cause to be made an examination of every admitted insurer transacting any class of insurance to which the provisions of this article are applicable to ascertain whether such insurer and every rate and rating system used by it for every such class of insurance complies with the requirements and standards of this article applicable thereto. Such examination shall not be a part of a periodic general examination participated in by representatives of more than one state. The reasonable cost of any such examination shall be paid in advance by the insurer examined. The officers, managers, agents and employees of such insurer may be examined at any time under oath and shall exhibit all books, records, accounts, documents or agreements governing its method of operation, together with all data, statistics and information of every kind and character collected or considered by the insurer in the conduct of the operations to which such examination relates.

1132.3. Notices of Noncompliance and Hearings.

(a) If the commissioner, after examination as provided in this article, has good cause to believe that any rate, rating plan or rating system made or used by a rating organization or by an insurer does not meet the standards and provisions of this article expressly applicable to it, or that an insurer or rating organization or an advisory organization or group, association or other organization of insurers which engages in joint underwriting or joint reinsurance, is not in compliance with the provisions of this article expressly applicable to it, the commissioner shall, unless he has good cause to believe such noncompliance is wilful, give notice in writing to such insurer, organization, group or association stating therein in what manner and to what extent he believes such noncompliance to exist and specifying therein a reasonable time, not less than 10 days thereafter, in which such noncompliance may be corrected.

(b) If the commissioner has good cause to believe such noncompliance to be wilful, or if within the period prescribed by the commissioner in the notice required by subdivision (a) of this section, the insurer, organization, group or association does not make such changes as may be necessary to correct the noncompliance specified by the commissioner or establish to the satisfaction of the commissioner that such specified noncompliance does not exist, then the commissioner may hold a public hearing in connection therewith, provided that within a reasonable period of time, which shall be not less than 10 days before the date of such hearing, he shall mail written notice specifying the matters to be considered at such hearing to such insurer, organization, group or association. If no notice has been given as provided in subdivision (a) of this section such notice shall state therein in what manner and to what extent the commissioner believes noncompliance to exist. The hearing shall not include any additional subjects not specified in the notice required by subdivision (a) or subdivision (b) of this section.

(c) If the commissioner, after such hearing, finds:

(1) That such rate, rating plan or rating system is in violation of this article, he may issue an order specifying in what respects such violation exists and stating when, within a reasonable period of time, the further use of such rate, rating plan or rating system by a rating organization or insurer which has been the subject of the examination and hearing in contracts of insurance made thereafter shall be prohibited and a copy of such order shall be sent to such rating organization or insurer.

(2) That an insurer, rating organization, advisory organization, or group, association or other organization of insurers which engages in joint underwriting or joint reinsurance, is in violation of the provisions of this article applicable to it other than the provisions dealing with rates, rating plans or rating systems, he may issue an

order to such insurer, organization, group or association which has been the subject of the examination and hearing specifying in what respects such violation exists and requiring compliance within a reasonable time thereafter.

(3) That the violation of any of the provisions of this article applicable to it by any insurer or rating organization which has been the subject of hearing was wilful, he may suspend or revoke, in whole or in part, the certificate of authority of such insurer or the license of such rating organization with respect to the class or classes or insurance which has been the subject matter of the hearing.

(d) If any rating organization is found, after such hearing by the commissioner, to have wilfully engaged in any fraudulent or dishonest act or practices, he may suspend or revoke, in whole or in part, the license of such organization in addition to any other penalty provided in this article.

1132.4. **Noncompliance With Order.** In addition to other penalties provided in this code, the commissioner may suspend or revoke, in whole or in part, the license of any rating organization or the certificate of authority of any insurer with respect to the class or classes of insurance specified in such order, which fails to comply within the time limited by such order or any extension thereof which the commissioner may grant, with an order of the commissioner lawfully made by him pursuant to Section 1132.3.

1133. **Withholding, or Furnishing False or Misleading, Information.** No person, insurer or organization shall wilfully withhold information from, or knowingly give false or misleading information to, the commissioner or to any rating organization, advisory organization, insurer or group, association or other organization of insurers, which will affect the rates, rating systems or premiums for the classes of insurance to which the provisions of this article are applicable.

1133.1. **Penalties.** (a) Any person, insurer, organization, group or association who fails to comply with a final order of the commissioner under this article shall be liable to the State in an amount not exceeding fifty dollars (\$50) but if such violation be wilful he or it shall be liable to the State in an amount not exceeding five hundred dollars (\$500) for such violation. The commissioner shall collect the amount so payable and may bring an action in the name of the people of the State of California to enforce collection. Such penalties may be in addition to any other penalties provided by law.

(b) A wilful violation of the provisions of this article by any person is a misdemeanor.

1134. **Proceedings in Connection With Licenses or Certificates of Authority.** Except as otherwise provided in this article, all proceedings in connection with the denial, suspension or revocation of a license or certificate of authority under this act shall be conducted in accordance with the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the commissioner shall have all the powers granted to him therein.

1135. **Judicial Review.** Any finding, determination, rule, ruling or order made by the commissioner under this article shall be subject to review by the courts of the State and proceedings on review shall be in accordance with the provisions of the Code of Civil Procedure. In such proceedings on review, the court is authorized and directed to exercise its independent judgment on the evidence and unless the weight of the evidence supports the findings, determination, rule, ruling or order of the commissioner, the same shall be annulled. If any act or order of the commissioner be submitted for judicial review, it shall become inoperative for a period of 30 days after the petition for review shall have been filed with the court unless said act or order of the commissioner is stayed by the court for a longer period.

1136. **Dividends.** Nothing in this article shall be construed to prohibit or regulate the payment of dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers. A plan for the payment of dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policy holders, members or subscribers shall not be deemed a rating plan or system.

1137. **Commissions and Fees.** Nothing in this article shall abridge or restrict the freedom of contract of insurers, agents, or brokers with reference to the amount of commissions or fees to be paid to such agents or brokers by insurers, and such payments, when otherwise lawful under this code, are expressly authorized with respect to all classes of insurance notwithstanding the provisions of Section 1122.

1138. **Immunities From Other Laws.** No act done, action taken or agreement made pursuant to the authority conferred by this article shall constitute a violation of, or grounds for prosecution or civil proceeding under, any other law of this State heretofore or hereafter enacted which does not specifically relate to insurance.

1139. **Administration, Enforcement and Interpretation of Article.** The administration and enforcement of this article shall be governed solely by the express provisions of this article. Except as provided in this article, no other law relating to insurance and no other provisions in this code heretofore or hereafter enacted shall apply to or be construed as supplementing or modifying the provisions of this article unless such other law or other provision expressly so provides and specifically refers to the sections of this article which it intends to supplement or modify.

Nothing contained in this article shall be construed as affecting the operations of insurers or the powers and duties of the commissioner under Chapter 2 and Chapter 3 of Part 3, Division 2, of this code.

1139.1. Incorporation of Other Provisions of Code. The provisions of the following sections of this code shall be applicable to the administration, enforcement and interpretation of this article:

Sections 1 to 41, both inclusive, 100 to 121, both inclusive, 620, 621, 700, 701, 704, 730 to 737, both inclusive, 1010 to 1062, both inclusive, 12903, 12904, 12919, 12921, 12921.5 to 12926, both inclusive, 12928, 12930, and 12974 to 12977, both inclusive.

1139.2. Public Policy. It is hereby declared:

(a) To be the policy of the State of California to permit and encourage competition in the business of insurance on a sound financial basis, and that such competition will be promoted by the regulation prescribed in this article.

(b) That no other or further regulation in the making or use of rates is necessary or required in the public interest.

SEC. 2. Section 1282 of the Insurance Code is amended to read:

1282. The provisions of the following articles and chapters shall be applicable to reciprocal or inter-insurance exchanges:

Chapter 1, Part 1, Division 1;

Article 14, Chapter 1, Part 2, Division 1;

Article 16, Chapter 1, Part 2, Division 1;

Article 19, Chapter 1, Part 2, Division 1;

Article 1, Chapter 1, Part 3, Division 2;

Article 2, Chapter 1, Part 3, Division 2;

Article 1, Chapter 2, Part 3, Division 2;

Article 2, Chapter 2, Part 3, Division 2;

Article 1, Chapter 3, Part 3, Division 2; and

Article 2, Chapter 3, Part 3, Division 2.

SEC. 3. If any clause, sentence, paragraph, or part of this act or the application thereof to any person or circumstances, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act and the application thereof to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstance involved.

SEC. 4. All other laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

SEC. 5. This act may be referred to as the "California Rate Regulatory Act."

SEC. 6. This act shall take effect January 1, 1948; provided, however, that any person, insurer, organization, group or association may at any time subsequent to September 1, 1947 file with the commissioner and the commissioner may consider and act upon any application, document or information necessary to comply with the provisions of Sections 1130, 1130.1, 1130.2, 1130.3 or 1131 of Article 19 as set forth in Section 1 of this act in order that such person, insurer, organization, group or association may obtain a license or otherwise comply with the said provisions upon the effective date of this act."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1328—An act to amend Sections 39, 41, 53, 54, and 57 and to add Section 39.1 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

Motion to Amend

Senator Ward moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, after "period", insert "after December 31, 1940 (including any rating period after December 31, 1947)."

Amendment No. 2

On page 3, line 44, of the printed bill, strike out the semicolon, and insert a comma.

Amendment No. 3

On page 3 of the printed bill, strike out lines 50 and 51, and insert "The maximum amount of benefits chargeable against employers' accounts by reason of benefits paid to any one individual for any one benefit year shall not be in excess of eighteen times the weekly benefit amount of such individual for such benefit year."

Amendment No. 4

On page 4 of the printed bill, strike out lines 1 and 2.

Amendment No. 5

On page 6, line 31, of the printed bill, strike out "Social".

Amendment No. 6

On page 6, line 34, of the printed bill, strike out "3", and insert "III".

Amendment No. 7

On page 6, line 35, of the printed bill, strike out "and 1602", and insert ", 1602 and 1603".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1
Senate Bill No. 222
Senate Bill No. 225
Senate Bill No. 339
Senate Bill No. 348
Senate Bill No. 395
Senate Bill No. 396

Senate Bill No. 397
Senate Bill No. 413
Senate Bill No. 428
Senate Bill No. 497
Senate Bill No. 631
Senate Bill No. 826
Senate Bill No. 833

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By C. W. QUEALE, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 224
Senate Bill No. 386
Senate Bill No. 530

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By C. W. QUEALE, Assistant Clerk

Above bills ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES**Committee on Labor**

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Labor, to which were referred:

Senate Bill No. 1492
Senate Bill No. 1493

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 7; committee vote: Ayes 5; noes 1; absent 1.

JUDAH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Labor, to which was referred:
Senate Bill No. 189

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 7; committee vote: Ayes 6; absent 1.

JUDAH, Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 1265

Senate Bill No. 954

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

BREED, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 959

Senate Bill No. 499

Senate Bill No. 1261

Assembly Bill No. 1446

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

BREED, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Assembly Bill No. 920

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 475

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; noes 1; absent 1.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 476

Senate Bill No. 960

Senate Bill No. 498

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

BREED, Chairman

Above reported bills ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 50—An act to revise the Municipal Utility District Act, relating to municipal utility districts, including provisions for the organization, incorporation and government of such districts;

Senate Bill No. 298—An act to amend Sections 1 and 6 of an act entitled "An act to create an Agricultural Research Study Committee, provide for its powers and duties, and making an appropriation," approved March 12, 1946, relating to the Agricultural Research Study Committee;

Senate Bill No. 259—An act to repeal Article 2, Chapter 7, Part 4, Division 5, of the Water Code, relating to the revolving fund of the Reclamation Board, and providing for the abolition of, and the disposal of the money in, said fund;

Senate Bill No. 972—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 3, 4, 5, 10, and 12 thereof, relating to the study and practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution;

Senate Bill No. 1561—An act making an appropriation for public assistance, including aid to the aged, aid to the needy blind, and aid to needy children, to be expended under the conditions and upon the terms specified therein, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of April, 1947, at 3 p.m.

POWERS, Chairman

ADJOURNMENT

At 5.07 p.m., on motion of Senator Keating, the President declared the Senate adjourned until 10 a.m., Friday, April 25, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FIFTY-SECOND LEGISLATIVE DAY
ONE HUNDRED TENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, April 25, 1947

The Senate met at 10 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Deuel, due to illness.

Senator DeLap, on motion of Senator Deuel, due to illness.

Senator McBride, on motion of Senator Deuel, due to legislative business.

Senator Brown, on motion of Senator Deuel, due to legislative business.

Senator McCormack, on motion of Senator Deuel, due to legislative business.

Senator Sutton, on motion of Senator Powers, due to legislative business.

Senator Jespersen, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Jimmie Hill, Superintendent of Schools, of Susanville.

On request of Senator Dilworth, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Roy Lay of Riverside.

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. L. G. Johnson, Mrs. Charles Grimmer, and the following students of the Arbuckle Grammar School: Joan Ayers, Bert Bailey, Cleo Blancett, Anna Duarte, Donna Friel, Louis Fleharty, Leroy Hillaker, Elaine Jeans, Dorothy Kessler, Edna Kessler, Marilyn Kelly, Jesse Martinez, David McLean, Lester Miller, Wayne Morrison, Audrey Pratt, Alice Smith, Delbert Uhland, Floyd Alexander, Hal Charter, Beverly Clasby, Arlene Feters, Wanda Hoskins, Nancy Hoffman, Donald Kinz, Lois Mathews, Judy Sherer, Mary Smedley, Georgia Struckmeyer, Terry Sweetland, Roy Wachsmuth, Harold Tucker, Alfred Solis, Vera Solis, and Tommy Odekirk.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Chester Blackwell, Principal, and the following students of the Oak Grove Union School: Loyal Hall, Bernard Hamrick, Bonnie Lang, Florence Abraham, Frances Abraham, Jo Ann Brooks, Le Roy McGuire, Edgar Wagner, Virginia Ingram, Wilfreds Hemenway, Benney Bogart, Kenneth Flaig, Darlene Hausauer, Janin Ratto, Norman Wagner, Carl Case, Kathryn Mize, Elsie Seifert, George Seifert, Melvin Harrison, Dee Kidd, Eileen Lang, Melba Murray, Wayne Meeks, Freida Wagner, Merry Koyama, Iris West, Betty Seibel, Bobby Bippus, Deana Mae Markey, Mollie Fukumoto, Billy Mertz, Junior Case, Rose Ellsbury, Billy Weaver, Howard La Rae, Gene Harrison, Russell Dickhoff, John Sullivan, and Muriel Bradley.

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. F. C. Joyce, Principal, Mrs. Mary Brown, Mrs. John Thacher, Mrs. Gladys Brown, and the following students of the Pine Grove Grammar School, Amador County: Keith Shatto, Delbert Simpson, Alden Ladd, Jerry Imel, Thelma Snooks, Patricia Brown, Roger Anderson, James Stagg, Ted Burgess, Calvin Gower, Billie Ruth Berry, Dorothy Mitchell, Nick Gavilko, J. L. Hinton, Leon Vicencio, Diane Bleyntagel, Sydney James, Edw. Gower, LeRoy Cane, Donald Ladd, Ralph James, Denver Austin, Mabel Smith, Thomas Summers, Sandra Snooks, Phillip Thacher, Dean Kennedy, Harlin Mitchell, Jackie Dunn, and Margaret Bleyntagel.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. John P. Linger, Principal, and the following students of the Houston School of Acampo: Ted Matsumoto, Hideo Nishinaka, Dale Tomoto, Ben Kamita, Earnest Estes, Jean Cochran, Donna Fay Field, Florence McCoy, E. J. Goff, Willis Gunier, Claud Hardaway, Leon Baker, Billy Lewis, and Ronald Borth.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 669	Senate Bill No. 872
Senate Bill No. 670	Senate Bill No. 905
Senate Bill No. 691	Senate Bill No. 921
Senate Bill No. 692	Senate Bill No. 922
Senate Bill No. 693	Senate Bill No. 934
Senate Bill No. 766	Senate Bill No. 1078
Senate Bill No. 866	Senate Bill No. 1081
Senate Bill No. 869	Senate Bill No. 1082

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 643
Senate Bill No. 1384

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 655
Senate Bill No. 1560

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

SWING, Chairman

Above reported bills ordered to second reading.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 597	Assembly Bill No. 755
Senate Bill No. 196	Assembly Bill No. 1088
Senate Bill No. 1171	Assembly Bill No. 2148

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

BUSCH, Vice Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Local Government, to which was referred: Assembly Bill No. 189

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

BUSCH, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Local Government, to which was referred: Senate Bill No. 649

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

BUSCH, Vice Chairman

Above reported bill ordered to second reading.

Committee on Education

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 658

Senate Bill No. 659

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

SLATER, Chairman

Above reported bills re-referred to Committee on Finance.

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 204

Assembly Bill No. 1010

Senate Bill No. 349

Assembly Bill No. 1003

Senate Bill No. 407

Assembly Bill No. 1004

Senate Bill No. 724

Assembly Bill No. 1005

Senate Bill No. 760

Assembly Bill No. 1009

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

SLATER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 623

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Bill No. 2120

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to the Committee on Finance.

Committee membership 9; committee vote: Ayes 8; absent 1.

SLATER, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

Senate Bill No. 1492—An act to amend Section 1126 and to add Sections 1127, 1128, and 1129 to the Labor Code, relating to collective bargaining agreements and prohibiting attempts to cause or induce violations thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor :

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "an employee", and insert "any person."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1493—An act to add Chapter 7, comprising Sections 1115, 1116, and 1117, to Part 3, Division 2 of the Labor Code, relating to jurisdictional strikes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor :

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "an employee", and insert "any person."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1265—An act to add Section 2191.5 to the Business and Professions Code, relating to applications to the Board of Osteopathic Examiners of the State of California for osteopathic physician's and surgeon's certificates.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Business and Professions :

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "10", and insert "5".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 954—An act to add Article 3a to, and to repeal Article 3 of, Chapter 7 of Division 8 of the Business and Professions Code, relating to motor fuel pump license tags.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Business and Professions :

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "(\$1)", and insert "and fifty cents (\$1.50)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 959—An act to amend Sections 12604, 12606, 12608, 12609, 12610, and 12612 of the Business and Professions Code, relating to containers.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1261—An act to amend Sections 22, 101, 111, and 201 of the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 499—An act to add Sections 10131.5 and 10151.5 to the Business and Professions Code, relating to nonresident real estate brokers.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 475—An act to amend Sections 16752, 16753, and 16754 of the Business and Professions Code, relating to the preservation and regulation of competition.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 476—An act to amend Sections 16723 and 16724 of the Business and Professions Code, relating to the preservation and regulation of competition.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Business and Professions:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10 to 17, inclusive.

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 960—An act to add Section 20709 to, and to amend Sections 20780, 20800, 20826, 20840, and 20955 of, the Business and Professions Code, relating to standards for petroleum products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on April 21, 1947, strike out "and 20955", and insert "20955 and 20960".

Amendment No. 2

On page 2 of said bill, strike out lines 42 and 43, and insert "ing taxes, are clear and distinct and so located as to be plainly discernible to the purchaser."

Amendment No. 3

On page 3, line 31, of said bill, strike out "the Agricultural Code", and insert "said code".

Amendment No. 4

On page 3 of said bill, after line 50, insert

"SEC. 7. Section 20960 of said code is amended to read:

20960. It is unlawful for any person, or any member, officer, agent or employee of a firm, association or corporation, other than the department or any of the officers mentioned in this article, to break, mutilate or destroy any seal or seals placed upon a container, receptacle, pump or storage tank connected thereto, or any other storage tank containing a petroleum product, when placed thereon as provided by this article, *or to move a container so sealed, or remove the contents therefrom, or to cover, deface or remove the notice of sealing required by this article.*"

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 498—An act to amend Section 11000 of the Business and Professions Code, relating to subdivided lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

In line 2 of the title of the printed bill, after "lands", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, after line 6, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Due to the prevailing housing shortage, various schemes for the subdividing of bungalow courts and other similar property are being promoted and offered to the public by real estate operators without the safeguards which a permit from the Real Estate Commissioner would provide. It is essential for the protection of the public that such matters be subjected to regulation and control without delay."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senator Carter Presiding

At 10.12 a.m., Senator Oliver J. Carter of the Fifth District, presiding.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1446—An act to amend Section 11535 of the Business and Professions Code, relating to the regulation of real estate subdivisions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 920—An act to amend Section 6854 of the Business and Professions Code, relating to the definition of "collection agency."

Bill read second time, and ordered to third reading.

President Pro Tempore of the Senate Presiding

At 10.15 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

THIRD READING OF SENATE BILLS

Senate Bill No. 832—An act to amend Sections 6210.3, added by Chapter 641 of the Statutes of 1943, 6504, 6895, and 7301 of, and to add Sections 6327, 6403, 6505.5, 6506, 6507, 6508, 6509, and 7405.1 to, the Public Resources Code, and to repeal Chapter 778 of the Statutes of 1931, relating to public lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Judah, Keating, Kraft, O'Gara,

Parkman, Powers, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Request for Unanimous Consent

Senator Hulse asked for, and was granted, unanimous consent to have Senate Bill No. 609 passed on file, and retain its place on file.

Senator Carter Presiding

At 10.20 a.m., Senator Oliver J. Carter of the Fifth District, presiding.

Senate Bill No. 487—An act to repeal Sections 20703 and 20752 of the Health and Safety Code, and to amend Sections 20750, 20751, 20757, 20759, and 20800 of, and to add Sections 20703, 20763, and 20764 to, the Health and Safety Code, relating to the sale of poisons.

Bill read third time.

Motion to Amend

Senator Kraft moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on April 16, 1947, strike out "20750, 20751,".

Amendment No. 2

In line 4 of the title of said bill, after "of," insert "to amend and renumber Sections 20750 and 20751 of,".

Amendment No. 3

On page 1, line 18, of said bill, strike out "Phosphorous", and insert "Phosphorus".

Amendment No. 4

On page 1, line 20, of said bill, strike out "Conius", and insert "Conium".

Amendment No. 5

On page 2, line 8, of said bill, strike out "alkaloids.", and insert "alkaloids;".

Amendment No. 6

On page 2 of said bill, between lines 8 and 9, insert

"(h) Zinc phosphide and preparations;

(i) Sodium fluoroacetate and preparations."

Amendment No. 7

On page 3, line 1, of said bill, after "is", insert "renumbered and".

Amendment No. 8

On page 3, line 8, of said bill, strike out "SEC. 4", and insert "SEC. 4.5".

Amendment No. 9

On page 3, line 37, of said bill, strike out "20750 and 20756", and insert "20751 and 20757".

Amendment No. 10

On page 3, line 40, of said bill, strike out "(0.2%)", and insert "(2.0%)".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 1254—An act to amend Section 3 of an act entitled "An act to regulate, and to prohibit fraud and deception in, the sale of olive oil, imitation olive oil, and other edible oils, to repeal an act entitled 'An act to regulate the sale of imitation olive oil, and to repeal an act entitled "An act to regulate the sale of olive oil," approved March 10,

1891,' '' approved March 23, 1893, and to amend Section 28480 of the Health and Safety Code, relating to the blending of olive oil.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1050—An act to amend Section 1515 of the Penal Code, relating to testimony of witnesses at inquest.

Bill read third time.

Motion to Amend

Senator Kraft moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 23, 1947, after "Code", insert "and Section 27052 of the Government Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 9, insert

"SEC. 2. Section 27502 of the Government Code is amended to read:

27502. The coroner shall cause the testimony given by any witness to be reduced to writing or recorded either in shorthand or by a mechanical recording device. *It may, if recorded, at his discretion, be transcribed into typewriting by him or under his direction.* [and] He may employ a clerk or stenographer for the purpose. When the testimony is taken down by a stenographer, his duly certified transcription thereof constitutes the deposition of the witness. The compensation of the clerk or stenographer shall be the same as that allowed to stenographers in the superior court of the county and is a legal charge against the county.

SEC. 3. Section 2 of this act becomes operative only if Title 3 of the Government Code is enacted by the Legislature at the 1947 Regular Session, and in such case at the same time as said Title 3 takes effect; at which time Section 1515 of the Penal Code is hereby repealed."

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 1381—An act to amend Section 1244 of the Code of Civil Procedure, relating to allegations in complaint in proceedings in eminent domain.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 934—An act to amend Section 1010 of the Fish and Game Code, relating to dealing in mollusks or crustaceans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, O'Gara, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 10.40 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 1314—An act to amend Section 131 of the Civil Code, relating to divorce, including actions and causes of action therefor.

Bill read third time.

Motion to Amend

Senator Carter moved the adoption of the following amendment:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 131 of the Civil Code is amended to read:

131. In actions for divorce, the court must file its decision and conclusions of law as in other cases, and if it determines that no divorce shall be granted, an interlocutory judgment must be entered, declaring that the party in whose favor the court decides is entitled to a divorce[.]; and the court may, in its discretion[, if requested, restore to the wife, her maiden name] *and regardless of whether or not a request therefor was included in the prayer of the complaint, restore the maiden name of the wife or the name under which she was married.* After the entry of the interlocutory judgment, neither party shall have the right to dismiss the action without the consent of the other."

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 870—An act to add Section 1300.19-1 to Chapter 10 of Division 5 of the Agricultural Code, relating to the time of commencing actions under the provisions of said chapter.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—24.

NOES—None.

Motion to Amend Title

Senator Crittenden moved the adoption of the following title amendment:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 24, 1947, strike out "5", and insert "6".

Amendment read, and adopted.

Senate Bill No. 870 ordered printed, and transmitted to the Assembly.

Senate Bill No. 871—An act to add Section 24.5 to the Agricultural Producers Marketing Act, relating to limitation of actions under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 691—An act to amend Section 545 of the Agricultural Code, relating to cheese.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 692—An act to amend Sections 542 and 543 of, and to add Section 542.1 to, the Agricultural Code, relating to pasteurized process and blended cheese and cheese products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 693—An act to amend Sections 545.5, 546, and 547 of, and to add Section 548 to, the Agricultural Code, relating to sale and labeling of cheese.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Motion to Amend Title

Senator Hatfield moved the adoption of the following title amendment:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "sale and labeling of".

Amendment read, and adopted.

Senate Bill No. 693 ordered printed, and transmitted to the Assembly.

Senate Bill No. 866—An act to amend Section 593 of the Agricultural Code, relating to imitation cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Judah, Keating, Kraft, Mayo, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 869—An act to add Section 1152.7 to the Agricultural Code, relating to investigations, surveys, and assembling of facts pertinent to marketing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, Parkman, Powers, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senator Carter Presiding

At 11 a.m., Senator Oliver J. Carter of the Fifth District, presiding.

Senate Bill No. 872—An act to amend Section 498.5 of the Agricultural Code, relating to qualifications and examinations for dairy inspection officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 905—An act to amend Sections 186, 187, 191, and 192 of the Agricultural Code, relating to the control and eradication of the cattle pest known as scabies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 11.03 a.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 921—An act to amend Section 22 of the Agricultural Code, relating to the powers of the Director of Agriculture.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senator Hatfield Presiding

At 11.05 a. m., Senator George J. Hatfield of the Twenty-fourth District, presiding.

Senate Bill No. 922—An act to amend Section 30 of the Agricultural Code, relating to the agricultural industry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 374—An act to amend Sections 608 and 2188 of the Revenue and Taxation Code and to add Section 2188.1 to said code, relating to taxes on improvements, and declaring the urgency thereof to take effect immediately.

Motion to Refer Bill to Inactive File

Senator Ward moved that Senate Bill No. 374 be placed on the inactive file.

Motion carried.

Senate Bill No. 766—An act to add Section 163 to the Revenue and Taxation Code, relating to the verification of property taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft,

Mayo, O'Gara, Parkman, Powers, Rich, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 669—An act to add Section 1711.2 to the Insurance Code, relating to nonresident life insurance agents and the powers of the Insurance Commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 670—An act to add Section 1705.2 to the Insurance Code, relating to life and disability agents' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 411—An act to amend Section 973 of the Labor Code, relating to solicitations for employment.

Bill read third time.

Motion to Amend

Senator Hulse moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on March 31, 1947, strike out "telephone, letter," and insert "letter".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 534—An act to add Section 261c to the Code of Civil Procedure, relating to phonographic reporters for the superior courts.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 57—Relative to the Hayward Area Chamber of Commerce.

Resolution read, and presented by Senator Breed.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Slater, Tenney, Ward, Watson, Weybret, and Williams—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 825—An act to add Section 20571 to the Water Code, relating to irrigation districts and assessments of irrigation districts.

Bill read third time, and presented by Senator Hulse.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2467—An act to provide for works for development and protection of the beach at Ocean Beach and providing for the continued availability therefor of funds presently available under agreement pursuant to Chapter 942, Statutes of 1941.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Motion to Reconsider

Senator Kraft moved to reconsider the vote whereby Assembly Bill No. 2467 was passed.

Postponement of Reconsideration

On motion of Senator Kraft, the further consideration of the motion to reconsider the vote whereby Assembly Bill No. 2467 was passed, was continued until the next legislative day.

Assembly Bill No. 677—An act to amend Section 1170 of the Harbors and Navigation Code, relating to pilotage rates.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Crittenden, Cunningham, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Salsman, Slater, Ward, Watson, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 489—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration.

Bill read third time, and presented by Senator Hulse.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Carter, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Salsman, Slater, Tenney, Ward, Weybret, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 638—An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Salsman, Slater, Tenney, Ward, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 639—An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of Chula Vista, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Salsman, Slater, Tenney, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2649—An act granting certain lands of the State of California to the City of San Diego upon certain trusts and conditions.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Salsman, Slater, Tenney, Ward, Watson, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1153—An act to add Section 9105 to the Government Code, relating to the State Capitol Building, the management thereof, and the assignment and reassignment of space therein, declaring the urgency hereof, to take effect immediately.

Bill read third time, and presented by Senator Powers.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 222—An act to amend Section 274a of the Code of Civil Procedure, relating to phonographic reporters.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Carter, Collier, Crittenden, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 223—An act to add Section 269a to the Code of Civil Procedure, relating to phonographic reporters.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, O'Gara, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1227—An act to amend Section 869 and to repeal Section 1742 of the Welfare and Institutions Code and to add Section 869.5 thereto, relating to the support of persons committed to the Youth Authority or confined in institutions subject to its jurisdiction.

Bill read third time, and presented by Senator Deuel.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 730—An act to amend Section 797 of the Fish and Game Code, relating to abalones.

Bill read third time, and presented by Senator Watson.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Carter, Collier, Crittenden, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—25.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 740—An act to amend Section 450.5 of the Fish and Game Code, relating to ocean fishing with spear.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1305—An act to amend Sections 830.1, 830.2, 830.4, and 830.5 of the Agricultural Code, relating to substandard fruits, nuts and vegetables.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1306—An act to amend Section 820 of the Agricultural Code, relating to the packing of tomatoes.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Keating, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1307—An act to amend Section 787.5 of the Agricultural Code, relating to markings on containers of fruits, nuts and vegetables.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Collier, Crittenden, Cunningham, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Mayo, Parkman, Powers, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1308—An act to amend Section 784.6 of the Agricultural Code, relating to fancy packs of fruits.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Busch, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1309—An act to amend Section 771 of the Agricultural Code, relating to certification of grapes for by-products.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 9—Relative to memorializing Congress concerning appropriations for forest conservation.

Resolution read, and presented by Senator Mayo.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 610—An act to provide for participation by the State of California in public celebrations and exhibits to be held throughout the State during 1948, 1949 and 1950 commemorating significant events in the history of the State, creating a commission therefor, defining its powers and duties, and providing for advisory committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill No. 386—An act to amend Section 4268 of the Political Code and Section 28139 of the Government Code, relating to compensation for public services in counties of the thirty-ninth class.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 386?

Amendment No. 1

On page 1, line 9, of the printed bill as amended in the Senate on March 19, 1947, strike out all of line 9 after "annum."; strike out line 10; and strike out line 11 down to and including "county."

Amendment No. 2

On page 2, line 18, of the printed bill, as amended in the Assembly on April 11, 1947, strike out "he shall not engage in the private law"; strike out line 19; and in line 20, strike out "county."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 386 by the following vote:

AYES—Senators Breed, Burns, Buseh, Carter, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Above bill ordered enrolled.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 43

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolution was read:

Assembly Joint Resolution No. 43—Relative to memorializing the President and Congress of the United States to investigate the freight car shortage.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 43, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 43

Assembly Joint Resolution No. 43—Relative to memorializing the President and Congress of the United States to investigate the freight car shortage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Carter, Collier, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

MOTION TO ADD NAME OF SENATOR JUDAH

Senator Desmond moved that the name of Senator Judah be added to Senate Bill No. 1097 as a co-author.

Motion carried.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1773

Senator Mayo moved that Assembly Bill No. 1773 be withdrawn from Committee on Institutions, and re-referred to Committee on Social Welfare.

Motion carried.

WITHDRAWAL FROM COMMITTEE OF ASSEMBLY BILL NO. 2157

Senator Carter moved that Assembly Bill No. 2157 be withdrawn from Committee on Elections, for purpose of amendment.

Motion carried.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 2157—An act to amend Sections 25, 26, 951, 953, and 10050 of the Elections Code, relating to primary elections.

Bill read second time.

Motion to Amend

Senator Carter moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "953," insert "7970,".

Amendment No. 2

On page 1, line 4, of said bill, strike out "after the first Monday".

Amendment No. 3

On page 1, line 9, of said bill, strike out "after the first Monday".

Amendment No. 4

On page 1, line 17, of said bill, strike out "after the first Monday".

Amendment No. 5

On page 1, line 21, of said bill, strike out "after the first Monday".

Amendment No. 6

On page 1 of said bill, between lines 23 and 24, insert

"SEC. 4.5. Section 7970 of said code is amended to read:

State 7970. The county clerk in any county shall forthwith send to the Secretary of by registered mail or by express one complete copy of all returns as to:

(a) All candidates voted for in more than one county.

(b) All candidates voted for wholly within one county for the following offices:

(1) State Assembly.

(2) State Senate.

(3) Representatives in Congress.

(4) Members of the State Board of Equalization.

(5) Judicial officers, except justices of the peace.

(c) All persons voted for at the presidential primary. *The returns for all persons voted for at the presidential primary for delegates to national conventions shall be canvassed first and shall be sent separately within 12 days after the day of election.*"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 38

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 465

Senate Bill No. 610

Senate Bill No. 690

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 374

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 870

Senate Bill No. 871

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Education

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 1210

Assembly Bill No. 1385

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

SLATER, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Assembly Bill No. 1889

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Assembly Bill No. 724

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 6; absent 3.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Senate Bill No. 523

Has had the same under consideration, and reports the same back with amendments
with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Assembly Bill No. 727

Has had the same under consideration, and reports the same back with amendments
with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; absent 3.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Senate Bill No. 174

Has had the same under consideration, and reports the same back with amendments
with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Senate Bill No. 974

Has had the same under consideration, and reports the same back with amendments
with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

DILLINGER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:
Senate Bill No. 1097

Has had the same under consideration, and reports the same back with amendments
with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

DILLINGER, Chairman

Above reported bill ordered to second reading.

Committee on Elections

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Elections, to which were referred:

Assembly Bill No. 2463

Assembly Bill No. 856

Assembly Bill No. 736

Assembly Bill No. 988

Assembly Bill No. 854

Assembly Bill No. 1046

Has had the same under consideration, and reports the same back with the recom-
mendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

CARTER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Elections, to which were referred:

Senate Bill No. 9

Assembly Bill No. 121

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

CARTER, Chairman

Above reported bills ordered to second reading.

COMMUNICATIONS

The following communication was received, read, and, on motion of Senator Slater, ordered printed in the Journal:

SACRAMENTO 9, CALIFORNIA, April 24, 1947

Hon. Herbert W. Slater

*State Senator, State Capitol
Sacramento, California*

MY DEAR SENATOR: Your kindness in delivering to me the beautifully embossed and framed copy of a resolution of the Senate, adopted on your motion of January 31, 1947, congratulating me upon my completion of 40 years of service as a member of the State Board of Equalization, is deeply appreciated.

Please convey to your colleagues, on my behalf, my gratitude for the generous sentiment toward me expressed in the resolution.

One of the greatest rewards of my years of public service has been the contacts afforded with the legislators, and I am deeply pleased to know that this feeling of friendship is so warmly reciprocated by the Members of the Senate.

Your sincere friend,

R. E. COLLINS

ADJOURNMENT

At 12 m., on motion of Senator Powers, the President declared the Senate adjourned until 2 p.m., Monday, April 28, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FIFTY-THIRD LEGISLATIVE DAY

ONE HUNDRED THIRTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, April 28, 1947

The Senate met at 2 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Salsman, due to illness.

Senator Busch, on motion of Senator Salsman, due to legislative business.

Senator Breed, on motion of Senator Salsman, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. George Andreini, instructor, and the following students of the Santa Rosa Junior College: Stewart Vincent, Dorothy Newman, Ray Kelly, Dick Tally, Bob Irwin, Howard Doughty, Ken Thollaug, Edith Trussell, Evelyn Ridenhouer, Gloria Gershenson, Miriam Scholz, Robert Deffner, Charles Lais, Don Dunbar, Brad Wilson, and Bob Patterson.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Emile Van Bever and Mr. Glen Moore of Port Hueneme, and Mr. Clyde Dorsey of Ventura.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Irvin Althouse of Porterville.

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. John E. Keller of Lake Tahoe.

On request of Senator Tenney and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Murry H. Bois Smith and Mr. John Henry Russell of Los Angeles.

On request of Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Leo Anderson of Los Angeles.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ben C. Corlett and Mr. Maurice C. Sparling of San Francisco, and Mr. Mark G. McMahon of Glendale.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 475

Senate Bill No. 959

Senate Bill No. 499

Senate Bill No. 1261

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 26, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 476

Senate Bill No. 954

Senate Bill No. 1492

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 26, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 639

Senate Bill No. 870

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 498

Senate Bill No. 1265

Senate Bill No. 960

Senate Bill No. 1493

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 487

Senate Bill No. 1050

Senate Bill No. 1314

And reports the same correctly re-engrossed.

POWERS, Chairman

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, April 24, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which was referred:

Assembly Bill No. 1445

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 7; absent 2.

DILLINGER, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 569

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 6; absent 5.

RICH, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Dilworth asked for, and was granted, unanimous consent to take up Senate Bill No. 569, at this time, for consideration.

CONSIDERATION OF SENATE BILL NO. 569**Senate Bill No. 569**—An act to provide for research by the University of California on the origin, prevention, and cure of cancer and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

In line 3 of the title of the printed bill, strike out the period, and insert "declaring the urgency thereof and providing that this act shall take effect immediately."

Amendment No. 2

On page 1, line 5, of said bill, strike out "the sum"; and strike out lines 6, 7, and 8, and insert "to the Regents of the University of California the sum of two hundred fifty thousand dollars (\$250,000) to be expended by the Regents of the University of California in carrying out the purposes of this act."

SEC. 3. The appropriation made by this act shall be available without regard to fiscal years and shall be exempt from the provisions of Section 16304 of the Government Code.**SEC. 4.** This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Additional research on the origin, prevention and cure of cancer is necessary without delay in order to save lives and protect the people of this State from this dread disease. Some research has been conducted by the University of California which should be continued on an enlarged scale. It will take considerable time to obtain the necessary equipment and space needed to carry out this act and it is necessary that this act take effect immediately in order to minimize delay in this connection."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

MOTION TO APPROVE JOURNALS

Senator Powers moved that the Journals of Monday, April 21, 1947; Tuesday, April 22, 1947; Wednesday, April 23, 1947; Thursday, April

24, 1947; and Friday, April 25, 1947; be approved as corrected by the Minute Clerk and the Journal Clerk.

Motion carried.

RESOLUTIONS

The following resolution was offered:

By Senator Brown:

Senate Resolution No. 76

Resolved, That the following officers of the Senate appointed by resolutions heretofore adopted, be and the same are hereby reappointed to their respective positions at the compensation set forth below beginning Tuesday, April 29, 1947, payable weekly seven days per week, and the Controller is directed to draw his warrants in favor of such officers for services rendered, and the Treasurer is directed to pay the same.

	<i>Per day</i>
Cleve Taylor, Chief Assistant Secretary-----	\$15 00
Buster Peart, Assistant Secretary-----	12 00
Petronella Rollins, Assistant Secretary-----	12 00
Med Anderson, Assistant Secretary-----	12 00
Esther Markham, Assistant Secretary-----	12 00
Julian Lindsay, Assistant Secretary-----	12 00
G. A. Spaulding, History Clerk-----	12 00
N. L. Levering, Journal Clerk-----	12 00
Laura D. Prentice, Engrossing and Enrolling Clerk-----	12 00
Morgan Flagg, File Clerk-----	12 00

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Chief Assistant Secretary Cleve V. Taylor at the Desk

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1248

Senator Burns moved that Senate Bill No. 1248 be withdrawn from Committee on Governmental Efficiency, for purpose of amendment, and re-referred to Committee on Finance.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1248—An act to amend Section 8 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to the availability of the appropriation made thereby.

Bill read second time.

Motion to Amend

Senator Burns moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 8 of", and insert "add Section 8.5 to".

Amendment No. 2

In the title of the printed bill, strike out line 8, and insert "completion of facilities remaining uncompleted by reason of cessation of work by the Federal Government pursuant to contracts for such work, making an appropriation and providing for the allocation thereof, declaring the urgency of this act, to take effect immediately."

Amendment No. 3

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 8.5 is added to the act cited in the title hereof, to read:

Sec. 8.5. Notwithstanding any other provision of this act, the director may, from any money made available for the purpose, allocate to a local agency sufficient money to complete any project the housing facilities for which were made available by the National Housing Administrator and as to which the local agency and the Federal Public Housing Authority had a valid and subsisting contract on April 1, 1947 pursuant to which the Federal Government was obligated to construct or otherwise provide for housing and housing facilities for such project but the completion of which project was suspended by the Federal Public Housing Authority on or about December 27, 1946. The local agency shall not be required to meet any cost of such completion, and the director may allocate the full amount necessary to complete the project in the manner and to the extent that the Federal Government was obligated so to do.

At the time of applying for an allocation under this section, the local agency shall supply, in addition to such other information as may be required by the director, a detailed estimate of cost of performing the uncompleted work and a complete inventory of property made available by the Federal Government for the project.

In order to obtain such allocation the local agency must agree with the director that it will pay or deliver to the State any money or other thing of value received from the Federal Government on account of the contract between the local agency and the Federal Government.

The director may authorize the local agency to complete such a project by assuming the obligations of the Federal Government under any contract with any private contractor, materialman or other person in relation to such project, or by entering into new contracts for the work of completion with the same persons or with others, or by a combination of both such methods. Any such assumption or new contract shall be submitted to the director and approved by him prior to any payments thereunder from money allocated pursuant to this section.

The director shall prescribe the time and manner of payment of allocations pursuant to this section, and may provide for the advance of such portion of such allocation as he deems necessary to permit the local agency to meet its obligations as they become due.

Any money received from a local agency pursuant to this section shall be paid into the State Treasury and credited to the General Fund. Any property received from a local agency may be sold or otherwise disposed of by the director or used for any State purpose. If sold the proceeds of the sale of such property shall be paid into the General Fund.

SEC. 2. Out of any money in the State Treasury not otherwise appropriated there is hereby appropriated the sum of four million five hundred thousand dollars (\$4,500,000) to be expended by the Director of Finance in carrying out the provisions of Section 8.5 of the act cited in the title hereof. There shall first be allocated from this appropriation for the use of the Department of Finance such amount as the Director of Finance shall determine is necessary for administration of the provisions of this section, the total of which allocation shall in no event exceed 1 percent of the appropriation made by this section.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the State Constitution and therefore shall take effect immediately. The following is a statement of the facts constituting such necessity:

The withdrawal of the Federal Government from participation in the program for providing temporary emergency housing for veterans and servicemen's families has resulted in the cessation of work on such projects with the result that many housing facilities which the Federal Government has agreed to construct are not completed and many never be fully completed. The need for such temporary emergency housing in this State continues to be acute and the completion of the projects as to which the Federal Government has committed itself but on which it has ceased to work will supply a large number of veterans and servicemen's families with urgently needed shelter and eliminate to that extent the dangers to the public health and safety of over crowded living accommodations. In order that funds may be provided for this urgently needed housing without delay it is necessary that this act take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 22, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 799

Senator Tenney moved that Senate Bill No. 799 be withdrawn from Committee on Business and Professions, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 799—An act to repeal Sections 350 and 354 inclusive, and to add Sections 350 to 360, inclusive, to the Health and Safety Code, relating to Division of Dental Health in the Department of Public Health, and to make an appropriation therefor.

Bill read second time.

Motion to Amend

Senator Tenney moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out line 7, and insert

"(a) The dental division shall study, plan, and under the supervision of the director of the department, shall administer all".

Amendment No. 2

On page 1, line 21, of the printed bill, after the period, insert

"The salary of the Director of the Dental Division shall be on a parity of that of the medical directors of comparable position and authority."

Amendment No. 3

On page 2 of the printed bill, strike out lines 20 to 48, inclusive, and insert

"SEC. 8. Section 356 is added to said code, to read:

356. The State Board of Public Health shall have the power to receive for the division any financial aid granted by any private, state, federal, local or district, or other grant or source, and the division shall use such funds to carry out the provisions and purposes of this article.

SEC. 9. Section 357 is added to said code, to read:

357. No services of any kind for which a license is required by other statutes of the State shall be performed under the provisions of this article, except by a person duly licensed to perform the same.

SEC. 10. Section 358 is added to said code, to read:

358. The State Board of Public Health is authorized to adopt all necessary rules and regulations to carry into effect the provisions of this article.

SEC. 11. Section 359 is added to said code, to read:

359. This article is not intended to apply and none of its provisions shall be construed as having any application whatsoever to any person licensed or registered under the provisions of the Dental Practice Act nor to the private practice of dentistry, save only as to persons in the employ of the department or of the division.

SEC. 12. There is hereby appropriated from any funds in the State Treasury not otherwise appropriated, the sum of one hundred twenty thousand dollars (\$120,000) to carry out the purposes of this act."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 39: By Senator McBride—

Relative to approving certain amendments to the charter of the City of San Buenaventura, a municipal corporation in the County of Ventura, State of California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the eighth day of April, 1947.

Request for Unanimous Consent

Senator McBride asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 39, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 39

Senate Concurrent Resolution No. 39—Relative to approving certain amendments to the charter of the City of San Buenaventura, a municipal corporation in the County of Ventura, State of California, voted for and ratified by the qualified electors of said city, at a general municipal election held therein on the eighth day of April, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Gordon, Jespersen, Judah, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 275
Assembly Bill No. 385
Assembly Bill No. 783
Assembly Bill No. 1136
Assembly Bill No. 1137
Assembly Bill No. 1139
Assembly Bill No. 1384

Assembly Bill No. 1560
Assembly Bill No. 1627
Assembly Bill No. 1628
Assembly Bill No. 1629
Assembly Bill No. 1633
Assembly Bill No. 1634

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 275—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Referred to Committee on Local Government.

Assembly Bill No. 385—An act to amend Section 511 of the Probate Code, relating to joint executors or administrators.

Referred to Committee on Judiciary.

Assembly Bill No. 783—An act to amend Section 73b of the Code of Civil Procedure, relating to holding sessions of the superior court in places other than the county seat.

Referred to Committee on Judiciary.

Assembly Bill No. 1136—An act to amend Section 128 of the Agricultural Code, relating to the holding of plants and other things on premises.

Referred to Committee on Agriculture.

Assembly Bill No. 1137—An act to amend Section 139 of the Agricultural Code, relating to newly discovered pests.

Referred to Committee on Agriculture.

Assembly Bill No. 1139—An act to repeal Sections 153.1, 153.2, and 153.3 of the Agricultural Code, relating to oriental fruit moth host plants and crops.

Referred to Committee on Agriculture.

Assembly Bill No. 1384—An act to amend Sections 1102, 1102.1, 1102.2, 1102.3, 1103.3, 1104, and 1104.1, and to add Section 1102.35 to the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

Assembly Bill No. 1560—An act to amend Section 1010 of the Fish and Game Code, relating to dealing in mollusks or crustaceans.

Referred to Committee on Fish and Game.

Assembly Bill No. 1627—An act to amend Section 27300 of the Streets and Highways Code, relating to revenues of bridge and highway districts.

Referred to Committee on Transportation.

Assembly Bill No. 1628—An act to amend Section 302 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

Assembly Bill No. 1629—An act to amend Section 27149 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Transportation.

Assembly Bill No. 1633—An act to amend the title of, and to add Section 1.5 to, an act entitled "An act to provide for the construction of a road in Marin County, and including its incorporation into the State Highway System, and making an appropriation," approved July 18, 1945, relating to the purposes of expenditure of said appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation.

Assembly Bill No. 1634—An act to provide for the transfer of title and easement to the highway known as Sausalito Lateral by the State Highway Commission from Golden Gate Bridge and Highway District, and to provide for the incorporation of such highway in the State Highway System of the State of California.

Referred to Committee on Transportation.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 100

Senate Bill No. 114

Senate Bill No. 341

Senate Bill No. 389

Senate Bill No. 505

Senate Bill No. 589

Senate Bill No. 662

Senate Bill No. 665

Senate Bill No. 668

Senate Bill No. 944

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

By CARROLL PARISH, Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 319

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

By CARROLL PARISH, Assistant Clerk

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 64

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 64—Relative to the Revised Laws of Hawaii 1945 affecting the sale of imported eggs.

Request for Unanimous Consent

Senator Slater asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 64, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 64

Assembly Concurrent Resolution No. 64—Relative to the Revised Laws of Hawaii 1945 affecting the sale of imported eggs.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY SPEAKER NICHOLSON, APRIL 22, 1947

Mr. President: I am pleased to inform your honorable body that the Assembly is this day passed:

Assembly Bill No. 49
Assembly Bill No. 50
Assembly Bill No. 51
Assembly Bill No. 52
Assembly Bill No. 53
Assembly Bill No. 54
Assembly Bill No. 55
Assembly Bill No. 56
Assembly Bill No. 57

Assembly Bill No. 1245
Assembly Bill No. 1246
Assembly Bill No. 1247
Assembly Bill No. 1248
Assembly Bill No. 1249
Assembly Bill No. 1250
Assembly Bill No. 1251
Assembly Bill No. 1252
Assembly Bill No. 1253

ANTHONY J. PUGH, Vice-Speaker of the Assembly
By CAMILLA PUGH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS RESUMED

The following bills were read the first time:

Assembly Bill No. 59—An act to amend Section 14572 of the Government Code, relating to veterans' preference in state civil service.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 63—An act to amend Section 14583 of the Government Code, relating to loyalty in the state civil service.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 95—An act to amend Section 4215 of the Military and Veterans Code, relating to assistance to veterans.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 818—An act to amend Section 707 of the Political Code, relating to the salary of the judges of the Superior Court in and for the County of Madison.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 592—An act to create a flood control district to be called Monterey County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, waterworks, public highways, life and property from damage or destruction from such waters, to provide for the prevention and abatement of floods, storm flood, and other waters and to save and conserve such waters for beneficial use in said district; to authorize the licensing of landholders, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective areas thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works of water on the purposes of the district declaring the urgency thereof, to take effect immediately.

Referred to Committee on Water Resources.

Assembly Bill No. 904—An act to amend Section 14641 of the Government Code, relating to the definition of a "disabled veteran."

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 906—An act to add Section 19403 to the Government Code, relating to taking of civil service examinations by veterans, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 952—An act to add Section 1192.1 to the Insurance Code, relating to excess funds investments of incorporated insurers.

Referred to Committee on Financial Institutions.

Assembly Bill No. 1245—An act to add Section 9516.1 to the Business and Professions Code, relating to cleaning and dyeing establishments.

Referred to Committee on Business and Professions.

Assembly Bill No. 1379—An act to amend Section 1096.5 of the Fish and Game Code, relating to confidential information.

Referred to Committee on Fish and Game.

Assembly Bill No. 1388—An act to amend Section 65 of, and to repeal Section 66.5 of the Fish and Game Code, relating to districts.

Referred to Committee on Fish and Game.

Assembly Bill No. 1393—An act to amend Section 19394 of the Government Code, relating to certification of persons on military leave from the state civil service.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 1523—An act to amend Sections 4102, 4149, and 4653.1 of the Revenue and Taxation Code, relating to real property taxation, and declaring that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1923—An act to amend Sections 894 and 895 of and to add Section 872.5 to the Military and Veterans Code, relating to educational assistance to veterans and veterans' dependents.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 1962—An act to amend Section 737q of the Political Code, relating to salaries of superior court judges.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1964—An act to amend Sections 737bb and 737vv of the Political Code, relating to salaries of superior court judges.

Referred to Committee on Governmental Efficiency.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 318

Senate Bill No. 1155

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 34
Senate Concurrent Resolution No. 35

Senate Concurrent Resolution No. 36
Senate Concurrent Resolution No. 38

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 2
Senate Bill No. 112
Senate Bill No. 113
Senate Bill No. 116
Senate Bill No. 117
Senate Bill No. 118
Senate Bill No. 193
Senate Bill No. 205
Senate Bill No. 311
Senate Bill No. 357
Senate Bill No. 384
Senate Bill No. 387
Senate Bill No. 445
Senate Bill No. 449
Senate Bill No. 466
Senate Bill No. 504
Senate Bill No. 604
Senate Bill No. 605

Senate Bill No. 617
Senate Bill No. 637
Senate Bill No. 647
Senate Bill No. 652
Senate Bill No. 660
Senate Bill No. 667
Senate Bill No. 789
Senate Bill No. 792
Senate Bill No. 913
Senate Bill No. 917
Senate Bill No. 977
Senate Bill No. 1036
Senate Bill No. 1090
Senate Bill No. 1128
Senate Bill No. 1129
Senate Bill No. 1131
Senate Bill No. 1298

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 230
Assembly Bill No. 424
Assembly Bill No. 614

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 297

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 489
Assembly Bill No. 534
Assembly Bill No. 849

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 165

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

Assembly Bill No. 165—An act to amend Sections 271, 277, 278, 314, 314.5, 315, 316, and 332 of the Vehicle Code, and to add Sections 271.2 and 305.1 to the Vehicle Code, relating to drivers licenses and to the issuance, suspension, or revocation thereof, and declaring the urgency of this act.

Referred to Committee on Transportation.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill No. 643—An act to amend Sections 737bb and 737ee of the Political Code, relating to salaries of judges of the superior court.
Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "----- dollars (\$-----)", and insert "twelve thousand dollars (\$12,000)".

Amendment No. 2

On page 1, line 9, of said bill, strike out "----- dollars (\$-----)", and insert "ten thousand dollars (\$10,000)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 1384—An act to amend Sections 4.1, 6, 7, 12, 24.4, 28, 34a, 34b, 39, and 40 of, to add Sections 37.5 and 59.7 to, and to repeal Section 48.6 of, the Alcoholic Beverage Control Act, relating to alcoholic beverages control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 9, line 24, of the printed bill, strike out "on-sale general licensee", and insert "licensee under an on-sale general license or an on-sale distilled spirits license for seasonal business".

Amendment No. 2

On page 9, line 35, of said bill, after "license", insert "or on-sale distilled spirits license for seasonal business".

Amendment No. 3

On page 13, line 28, of said bill, after "turpitude", insert "or to any violation of any penal provision of federal law prohibiting or regulating the sale, exposing for sale, use, possession, or giving away of alcoholic beverages or intoxicating liquors or prohibiting the refilling or reuse of distilled spirits containers".

Amendment No. 4

On page 13 of said bill, strike out lines 29 to 31, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 655—An act to amend Section 14256 of the Government Code, relating to state contracts.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1560—An act to add Section 3694 to the Political Code, relating to the powers and duties of the members of the State Board of Equalization, declaring the urgency of this act, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 597—An act to amend Section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval on February 25, 1901, relating to the issuance of municipal improvement bonds, providing for the payment thereof, declaring the urgency of this act, and providing that this act shall take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 196—An act to add Sections 261c and 261d to the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1171—An act to amend Section 3022 of the Civil Code, relating to giving of notice of assignment of accounts receivable.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 649—An act to amend Sections 4261 and 4264 of the Political Code, and to amend Sections 28132 and 28135 of the Government Code, relating to salaries of county officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "_____ dollars (\$_____)", and insert "four thousand two hundred dollars (\$4,200)".

Amendment No. 2

On page 1, line 9, of said bill, strike out "_____ dollars (\$_____)", and insert "three thousand six hundred dollars (\$3,600)".

Amendment No. 3

On page 1, lines 10 and 11, of said bill, strike out "_____ dollars (\$_____)", and insert "one thousand eight hundred dollars (\$1,800)".

Amendment No. 4

On page 2, lines 5 and 6, of said bill, strike out "_____ dollars (\$_____)", and insert "four thousand dollars (\$4,000)".

Amendment No. 5

On page 2, lines 7 and 8, of said bill, strike out "_____ dollars (\$_____)", and insert "six thousands dollars (\$6,000)".

Amendment No. 6

On page 2, lines 9 and 10, of said bill, strike out "_____ dollars (\$_____)" and insert "one thousand five hundred dollars (\$1,500)".

Amendment No. 7

On page 2, lines 12 and 13, of said bill, strike out "_____ dollars (\$_____)", and insert "six hundred dollars (\$600)".

Amendment No. 8

On page 2, lines 30 and 31, of said bill, strike out "_____ dollars (\$_____)", and insert "four thousand two hundred dollars (\$4,200)".

Amendment No. 9

On page 2, line 33, of said bill, strike out "_____ dollars (\$_____)", and insert "three thousand six hundred dollars (\$3,600)".

Amendment No. 10

On page 2, lines 34 and 35, of said bill, strike out "_____ dollars (\$_____)", and insert "one thousand eight hundred dollars (\$1,800)".

Amendment No. 11

On page 3, lines 6 and 7, of said bill, strike out "_____ dollars (\$_____)", and insert "four thousand dollars (\$4000)".

Amendment No. 12

On page 3, lines 8 and 9, of said bill, strike out "_____ dollars (\$_____)", and insert "six thousand dollars (\$6,000)".

Amendment No. 13

On page 3, lines 10 and 11, of said bill, strike out "_____ dollars (\$_____)", and insert "one thousand five hundred dollars (\$1,500)".

Amendment No. 14

On page 3, lines 13 and 14, of said bill, strike out "_____ dollars (\$_____)", and insert "six hundred dollars (\$600)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

Senate Bill No. 204—An act to add Section 418 to the Education Code, relating to the qualifications and salaries of county superintendents of schools.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 349—An act to add Section 7008.1 to the Education Code, relating to apportionment of the State School District Emergency Fund, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 407—An act to amend Section 1804 of the Education Code, relative to school elections.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 724—An act to amend Section 13842 of the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 760—An act to amend Section 3941 of the Education Code, relating to the suspension of high school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 623—An act to add Article 1.5 to Chapter 2 of Division 1 of the Education Code, relating to county superintendents of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out lines 20 to 25, inclusive, and insert "Class Five. Counties credited with an average daily attendance of 5,500 and less than 10,000.

Class Six. Counties credited with an average daily attendance of 2,000 and less than 5,500.

Class Seven. Counties credited with an average daily attendance of 1,250 and less than 2,000.

Class Eight. Counties credited with an average daily attendance of 500 and less than 1,250.

Class Nine. Counties credited with an average daily attendance of 100 and less than 500.

Class Ten. Counties credited with an average daily attendance of less than 100."

Amendment No. 2

On page 2 of the printed bill, strike out lines 1 and 2.

Amendment No. 3

On page 2 of the printed bill, strike out lines 27 to 35, inclusive, and insert

"Class Six. The salary of the county superintendent of schools of each county of Class Six shall be six thousand dollars (\$6,000) per annum.

Class Seven. The salary of the county superintendent of schools of each county of Class Seven shall be five thousand dollars (\$5,000) per annum.

Class Eight. The salary of the county superintendent of schools of each county of Class Eight shall be four thousand four hundred dollars (\$4,400) per annum.

Class Nine. The salary of the county superintendent of schools of each county of Class Nine shall be three thousand four hundred dollars (\$3,400) per annum.

Class Ten. The salary of the county superintendent of schools of each county of Class Ten shall be two thousand four hundred dollars (\$2,400) per annum. Other provisions in the Education Code to the contrary notwithstanding, any county superintendent of schools of Class Ten may accept a teaching assignment for additional remuneration."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

Senate Bill No. 1210—An act to repeal Section 16075 and add new Section 16075 to the Education Code, relating to membership in any secret fraternity, sorority or club.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, line 23, of the printed bill, as amended, after "Antlers", insert "Eagles".

Amendment No. 2

On page 2, line 24, of the printed bill, as amended, strike out "Eagles."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 523—An act to amend Section 6600 of the Welfare and Institutions Code, and to add Article 3.5 to Chapter 1 of Part 4 of Division 6 of said code, relating to and providing for the admission of

persons believed to be mentally ill to state hospitals on certification without court commitment, providing for court proceedings in relation to such persons where requested and providing for the rights, care and support of such persons in state hospitals and for their release therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 46, of the printed bill, after "6610.6", strike out "The", and insert "If the alleged mentally ill person or the person responsible for his maintenance and support is financially unable to pay the".

Amendment No. 2

On page 2, line 47, of the printed bill, strike out "shall be a charge against", and insert "such cost shall be paid by".

Amendment No. 3

On page 2, line 48, of the printed bill, after "employed", strike out the period and the balance of the paragraph through line 50, and insert "provided that such health officer shall have, prior to the employment of such examining physicians, approved such employment and that the cost of such physicians' service for such alleged mentally ill person shall not exceed the sum of ten dollars (\$10)."

Amendment No. 4

On page 5 of the printed bill, following Section 6611.8 add a new section, to read: "6611.9. This article does not authorize any examination as provided in Section 6610.4 or the admission to a state hospital of any person who is being treated by prayer in the practice of the religion of any well recognized church, sect, denomination or organization, if he, or any relative or friend acting in his behalf, protests against such examination or admission to the local health officer investigating the case."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 174—An act to amend the Welfare and Institutions Code by adding thereto Sections 5181.5 and 5185.1 and to amend Sections 5047 and 5185 thereof, relating to public guardians.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 13, of the printed bill, after "with", insert "and subject to".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 974—An act to amend Section 120.5 of the Welfare and Institutions Code, relating to the functions of the State Department of Social Welfare, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "However, the expenditures of State"; and strike out lines 9, 10, and 11.

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 1097—An act to amend Sections 1 and 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "social", and after "Unemployment", insert "Insurance".

Amendment No. 2

On page 2, line 39, of the printed bill, strike out "involun", and before "persons", insert "unemployed".

Amendment No. 3

On page 2, line 40, of the printed bill, strike out "tarily unemployed", and before "shall", insert "claiming unemployment insurance benefits".

Amendments read, and adopted.

Further Amendments to Senate Bill No. 1097**Motion to Amend**

Senator Desmond moved the adoption of the following amendment:

Amendment No. 1

In the heading of the printed bill, as amended in the Senate on April 18, 1947, after "Introduced by Senator Desmond", insert "; Senator Judah, Joint Author".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 9—An act to amend Section 5932, and to add Sections 5882 and 7791.5, and Article 3a to Chapter 5 of Division 8, of the Elections Code, relating to absent voting.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "prior to", and insert "not later than one hour prior to the time of the closing of the polls on".

Amendment No. 2

On page 1, line 27, of said bill, strike out "prior to the election".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 755—An act to amend Section 4243 of the Political Code and Section 28114 of the Government Code, relating to compensation for public services in counties of the fourteenth class.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1088—An act adding Section 9.8 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and county fire protection district officers and employees, namely county foresters, firewardens and county fire protection district firemen as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 19, 1939, Statutes of 1939, Chapter 174, Sections 9.3, 9.4, and 9.8 to the County Peace Officers' Retirement Law, and Sections 31904.5, 31985, 32038, and 32338 to the Government Code, and relating to retirement.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2148—An act to amend Section 4312 of the Political Code and Sections 24254 and 24256 of the Government Code, relating to location and hours of office of county officers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 189—An act to amend Section 4300h of the Political Code, relating to coroners' fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Local Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and Section 27471 of the Government Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 28, insert

"SEC. 2. Section 27471 of the Government Code is amended to read:

27471. Whenever the coroner takes custody of a dead body pursuant to law, he may embalm the body, and charge and collect [fifteen] *twenty-five* dollars (\$25) from the person entitled to its custody, except when the body is that of a child not more than fourteen years of age or a person for whose burial there is available less than seventy-five dollars (\$75), in which cases the expense of embalming is a county charge. In any county where the coroner is paid a salary, the fee shall be paid into the county treasury.

SEC. 3. Section 2 of this act becomes operative only if Title 3 of the Government Code is enacted by the Legislature at its 1947 Regular Session, and in such case at the same time as said Title 3 takes effect; at which time Section 4300h of the Political Code is hereby repealed."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 1010—An act to add Section 14772.1 to the Education Code, relating to joint school district retirement plans, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1093—An act to amend Section 13502 of the Education Code, relating to district retirement plans, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1094—An act to amend Section 14135.1 of the Education Code, relating to district retirement plans, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1095—An act to amend Section 14736 of the Education Code, relating to district retirement salary plans.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1099—An act to amend Section 16271 of the Education Code, relating to school busses.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2120—An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 3, line 42, of the printed bill, as amended in the Assembly on March 28, 1947, after "of", insert "said".

Amendment No. 2

On page 8, line 52, of said bill, after "grades", insert a comma.

Amendment No. 3

On page 10, line 41, of said bill, after "shall", insert "during each fiscal year".

Amendment No. 4

On page 10, line 43, of said bill, strike out "7002", and insert "7001".

Amendment No. 5

On page 11, line 10, of said bill, strike out "and for which during"; strike out lines 11 and 12; and in line 13, strike out "less not more than ten cents (\$0.10)".

Amendment No. 6

On page 11, line 15, of said bill, strike out "transportation as specified in this section", and insert "such transportation".

Amendment No. 7

On page 11 of said bill, between lines 22 and 23, insert "7013. No allowance shall be made to an elementary school district or to a high school district under this article during the Fiscal Year 1948-1949, or during any subsequent fiscal year, unless during the preceding fiscal year there was levied for the district at least the maximum rate of school district tax fixed for the district by Section 6357 less not more than ten cents (\$0.10)."

Amendment No. 8

On page 11, line 23, of said bill, strike out "7013", and insert "7014".

Amendment No. 9

On page 11, line 24, of said bill, after "article", insert "during any fiscal year".

Amendment No. 10

On page 11, line 26, of said bill, strike out "the several districts", and insert "all such districts during the fiscal year".

Amendment No. 11

On page 11, line 28, of said bill, after "districts", insert "during the fiscal year".

Amendment No. 12

On page 11 of said bill, beginning in line 34, strike out "to each elementary school district and high school district", and insert "during any fiscal year to the school districts".

Amendment No. 13

On page 11, line 38, of said bill, after "allow", insert "during the fiscal year".

Amendment No. 14

On page 11, line 40, of said bill, after "shall", insert "not".

Amendment No. 15

On page 11, line 41, of said bill, strike out "if there has been", and insert "during the Fiscal Year 1948-1949 or during any subsequent fiscal year unless there was".

Amendment No. 16

On page 11, line 42, of said bill, strike out "year a rate of school district tax which shall be", and insert "fiscal year at least".

Amendment No. 17

On page 11, line 44, of said bill, strike out "of this code".

Amendment No. 18

On page 14, line 39, of said bill, after "thereafter", insert a comma.

Amendment No. 19

On page 15, line 1, of said bill, strike out "for"; strike out lines 2 and 3; and in line 4, strike out "(\$0.01) fixed for such district by Section 6357".

Amendment No. 20

On page 15, line 14, of said bill, after "made", insert "to any high school district".

Amendment No. 21

On page 15, line 14, of said bill, after "section", insert "during the Fiscal Year 1948-1949, or during any subsequent fiscal year unless during the preceding fiscal year there was levied for the high school district at least the maximum rate of school district tax fixed for such district by Section 6357 less not more than one cent (\$0.01), or".

Amendment No. 22

On page 15, line 15, of said bill, strike out the comma.

Amendment No. 23

On page 15, line 16, of said bill, after "Districts", strike out the comma.

Amendment No. 24

On page 16, line 35, of said bill, strike out "school", and insert "fiscal".

Amendment No. 25

On page 18 of said bill, between lines 11 and 12, insert

"7094. No state equalization aid shall be allowed to any elementary school district under this article during the Fiscal Year 1947-1948 unless, during the preceding fiscal year, there shall have been levied a tax for such district in an amount equal to twenty cents (\$0.20) or more on 90 percent of each one hundred dollars (\$100) of the assessed valuation in such district as shown by the equalized assessment roll of the district for the next preceding year and no elementary school district which has met the requirements of this section is otherwise entitled to state equalization aid shall be denied such aid.

7095. No state equalization aid shall be allowed under this article during the Fiscal Year 1948-1949, or during any subsequent fiscal year unless there shall have

been levied, pursuant to Division 3 of this code, for such district during the preceding fiscal year a tax not less than that set forth in Article 9 of this chapter for the district, and no district which has met the requirements of this section and is otherwise entitled to state equalization aid shall be denied such aid."

Amendment No. 26

On page 18 of said bill, strike out lines 39 to 52, inclusive; and on page 19, strike out lines 1 to 11, inclusive, and insert

"7111. If the total amount allowed to all elementary school districts and to all county school service funds under Articles 6 and 10 of this chapter on account of the average daily attendance of pupils in elementary school grades and in schools or classes of elementary school grade maintained by county superintendents of schools, is less than the total amount required to be transferred to the State School Fund on account of such average daily attendance, minus an amount equal to the amounts allowed under Sections 7001 and 7011 on account of such average daily attendance plus three-fourths of the amount allowed under Section 7003, the balance shall be allowed by the Superintendent of Public Instruction to elementary school districts receiving state equalization aid during the then current fiscal year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount apportioned as equalization aid to all elementary school districts, multiplied by the amount of equalization aid apportioned to the district.

7112. If the total amount allowed to all districts maintaining high school grades and county school service funds under Articles 7 and 10 of this chapter on account of the average daily attendance of pupils in high school grades and in schools or classes of high school grade maintained by county superintendents of schools is less than the total amount required to be transferred to the State School Fund on account of such average daily attendance, minus an amount equal to the amounts allowed under Sections 7001 and 7011 on account of such average daily attendance plus one-fourth of the amount allowed under Section 7003, the balance shall be allowed by the Superintendent of Public Instruction to districts maintaining high school grades receiving state equalization aid during the then current fiscal year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount apportioned as equalization aid to all such districts, multiplied by the amount of equalization aid apportioned to the district.

7113. If the total amount allowed to all districts maintaining junior colleges under Articles 8 and 10 of this chapter on account of the average daily attendance of pupils in junior college districts and in schools or classes of junior college grade maintained by county superintendents of schools is less than the total amount required to be transferred to the State School Fund on account of such average daily attendance, less the amount computed as provided in Section 7001 on account of such average daily attendance, the balance shall be allowed by the Superintendent of Public Instruction to such districts receiving state equalization aid during the then current fiscal year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount apportioned as equalization aid to all districts maintaining junior colleges multiplied by the amount of equalization aid apportioned to the district.

7114. If the total amount allowed to all elementary school districts and county school service funds from the State School Fund under Articles 6 and 10 of this chapter on account of the average daily attendance of pupils in elementary school districts and in schools or classes of elementary school grade maintained by county superintendents of schools is larger than the total amounts required to be transferred to the State School Fund on account of such average daily attendance, minus an amount equal to the amounts allowed under Sections 7001 and 7011 on account of such average daily attendance plus three-fourths of the amount provided in Section 7003, the amount allowed each such district as state equalization aid, shall be reduced in the ratio that the amount of the deficit bears to the total amount of equalization aid multiplied by the amount of equalization aid assumed to be apportioned to the district.

7115. If the total amount allowed to all districts maintaining high school grades and county school service funds from the State School Fund under Articles 7 and 10 of this chapter on account of the average daily attendance of pupils in high school districts and in schools or classes of high school grade maintained by county superintendents of schools, is larger than the total amounts required to be transferred to the State School Fund on account of such average daily attendance, minus an amount equal to the amounts allowed under Sections 7001 and 7011, on account of such average daily attendance plus one-fourth of the amount allowed in Section 7003, the amount allowed each such district as equalization aid from the State School Fund, shall be reduced in the ratio that the amount of the deficit bears to the total amount of equalization aid multiplied by the amount of equalization aid assumed to be apportioned to the district.

7116. If the total amount allowed to all districts maintaining junior college grades and county school service funds from the State School Fund under Articles 8 and 10 of this chapter on account of the average daily attendance of pupils in junior college districts and in schools or classes of junior college grade maintained by county superintendents of schools, is larger than the total amounts required to be transferred

to the State School Fund on account of such average daily attendance, minus an amount equal to the amount allowed under Section 7001 on account of such average daily attendance, the amount allowed each such district from the State School Fund as equalization aid, shall be reduced in the ratio that the amount of the deficit bears to the total amount of equalization aid multiplied by the amount of equalization aid assumed to be apportioned to the district.

7117. If the total amounts of the computations or allowances to the county school service funds under Section 7002 is less than the total amount allowable to such funds under Section 7001, the balance shall be apportioned to all school districts receiving equalization aid during the then fiscal year. The amount allowed each such district shall be in the ratio that the amount of this balance bears to the total amount apportioned as equalization aid to all districts, multiplied by the amount of equalization aid apportioned to the district."

Amendment No. 27

On page 19 of said bill, strike out lines 31 to 49, inclusive, and insert

"7125. The Superintendent of Public Instruction shall apportion to the county high school tuition fund of each county the amount required to be allowed thereto by Section 7211.

7126. If the total of the amounts allowed school districts under Sections 7012 and 7023 is less than the amount computed under Section 7011, the Superintendent of Public Instruction shall, not later than June 1st of the then current fiscal year, apportion the balance to those districts allowed State Equalization Aid during said fiscal year pro rata on the average daily attendance during the preceding fiscal years in the elementary districts, high school districts, and junior college districts, exclusive of grades 13 and 14, of such districts."

Amendment No. 28

On page 20, line 30, of said bill, strike out "and", and insert "to".

Amendment No. 29

On page 21 of said bill, strike out line 7, and insert "and to the county school service fund and to the county high school tuition fund from the State School Fund."

Amendment No. 30

On page 21, line 11, of said bill, strike out "and to the", and insert ", the county high school tuition fund, and the".

Amendment No. 31

On page 22, line 1, of said bill, strike out "purpose", and insert "purposes".

Amendment No. 32

On page 23, line 23, of said bill, strike out "fund money. All", and insert "service fund money, except that all".

Amendment No. 33

On page 24 of said bill, beginning in line 8, strike out "and county high school tuition fund".

Amendment No. 34

On page 24, line 20, of said bill, after "he", insert "credited to the county high school tuition fund of said county and".

Amendment No. 35

On page 24 of said bill, strike out lines 27 to 35, inclusive, and insert "apportionments of the State School Fund, shall allow to the county high school tuition fund ninety dollars (\$90) for each unit of average daily attendance of pupils residing in the county and attending high school in an adjoining state during the preceding fiscal year."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Assembly Bill No. 1385—An act to add Section 14744 to the Education Code, relating to school district retirement plans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "or discharge".

Amendment No. 2

On page 1, line 13, of said bill, strike out "and disability".

Amendment No. 3

On page 1, line 14, of said bill, strike out "or for disability".

Amendment No. 4

On page 1, lines 16 and 17, of said bill, strike out "or disability".

Amendment No. 5

On page 1, line 22, of said bill, strike out "and disability".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 1889—An act to add Section 1622.5 to the Welfare and Institutions Code, relating to child care, and boarding homes for children.

Bill read second time, and ordered to third reading.

Assembly Bill No. 724—An act to amend Sections 3077, 3080, and 3081 of the Welfare and Institutions Code, relating to applications for aid to the blind, changing the contents thereof, and simplifying the procedures for supplying and filing such applications.

Bill read second time, and ordered to third reading.

Assembly Bill No. 727—An act to add Section 3082.1 to the Welfare and Institutions Code, relating to aid to the blind.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 5, of the printed bill, after "for", strike out "the", and insert "or".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 2463—An act to add Sections 4888 and 4889 to the Health and Safety Code, relating to powers of boards of sewer maintenance districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 736—An act to amend Sections 2897 and 2898 of the Elections Code, relating to death of candidate before an election.

Bill read second time, and ordered to third reading.

Assembly Bill No. 854—An act to amend Section 678 of the Elections Code, relating to precinct boards.

Bill read second time, and ordered to third reading.

Assembly Bill No. 856—An act to amend Section 3043 of the Elections Code, relating to nomination papers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 988—An act to amend Section 43 of, and to add Section 658.5 to, the Elections Code, relating to precinct boards and substitutive canvassing and counting boards.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1046—An act to amend Section 7968 of the Elections Code, relating to the record of votes cast.

Bill read second time, and ordered to third reading.

Assembly Bill No. 121—An act to amend the Elections Code of the State of California by adding thereto a new section to be numbered 8558 and to amend Sections 8572 and 8652 thereof, all relating to the costs of election contests.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections:

Amendment No. 1

On page 1, line 20, of the printed bill, before "precinct", strike out "the", and insert "a".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 224—An act to amend Section 2 of the Corporate Securities Act, relating to exemptions.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 224?

Amendment No. 1

On page 4 of the printed bill, as amended in the Senate on March 20, 1947, strike out lines 33 and 34, and insert

"11. Promissory notes, whether secured or unsecured, where the notes are not offered to the public, or are not sold to an underwriter for the purpose of resale."

Amendment No. 2

On page 4 of said printed bill, as amended, after line 46, insert

"14. Any bona fide joint adventure interest, except such interests when offered to the public."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 224 by the following vote:

AYES—Senators Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Above bill ordered enrolled.

MOTION TO RECONSIDER

Assembly Bill No. 2467—An act to provide for works for development and protection of the beach at Ocean Beach and providing for the continued availability therefor of funds presently available under agreement pursuant to Chapter 942, Statutes of 1941.

Motion to Reconsider Assembly Bill No. 2467

Pursuant to his motion previously made, Senator Kraft moved that the Senate, at this time, reconsider the vote whereby Assembly Bill No. 2467 was passed.

The roll was called, and Assembly Bill No. 2467 reconsidered by the following vote:

AYES—Senators Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Watson, Weybret, and Williams—30.

NOES—None.

Assembly Bill No. 2467 ordered to third reading file.

THIRD READING OF SENATE BILLS

Senate Bill No. 487—An act to repeal Sections 20703 and 20752 of the Health and Safety Code, and to amend Sections 20757, 20759, and 20800 of, to amend and renumber Sections 20750 and 20751 of, and to add Sections 20703, 20763, and 20764 to, the Health and Safety Code, relating to the sale of poisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senator McBride Presiding

At 2.55 p.m., Senator James J. McBride of the Thirty-third District, presiding.

Senate Bill No. 646—An act to amend Section 69a of the Civil Code and Sections 10526, 10530, 10531, 10532, 10533, 10534, and 10551 of, and to repeal Section 10527 of, the Health and Safety Code, relating to marriage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Jepsen, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Motion to Amend Title

Senator Judah moved the adoption of the following title amendment :

Amendment No. 1

In line 4 of the title of the printed bill, strike out "marriage", and insert "vital statistics".

Amendment read, and adopted.

Senate Bill No. 646 ordered printed, and transmitted to the Assembly.

Senate Bill No. 1050—An act to amend Section 1515 of the Penal Code and Section 27052 of the Government Code, relating to testimony of witnesses at inquest.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Watson, Weybret, and Williams—29.

NOES—None.

Motion to Amend Title

Senator Kraft moved the adoption of the following title amendment :

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on April 25, 1947, strike out "27052", and insert "27502".

Amendment read, and adopted.

Senate Bill No. 1050 ordered printed, and transmitted to the Assembly.

Senate Bill No. 641—An act to repeal Section 6028 of the Penal Code and to add Sections 6028, 6028.1, 6028.2, and 6028.3 thereto, relating to the functions of the Board of Corrections, authorizing the Governor to create special commissions to assist the board in the study of crime, and specifying the powers and duties of such commissions and of the board in relation thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Burns, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, and Watson—27.

NOES—Senator Rich—1.

Motion to Amend Title

Senator Deuel moved the adoption of the following title amendment :

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 6028.3", and insert "6028.3, and 6028.4".

Amendment read, and adopted.

Senate Bill No. 641 ordered printed, and transmitted to the Assembly.

President of the Senate Presiding

At 3.05 p.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

Senate Bill No. 1314—An act to amend Section 131 of the Civil Code, relating to divorce, including actions and causes of action therefor.

Bill read third time.

Motion to Amend

Senator Carter moved the adoption of the following amendment:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 25, 1947, strike out lines 15 to 27, inclusive, and insert

"SECTION 1. Section 131 of the Civil Code is amended to read:

131. In actions for divorce, the court must file its decision and conclusions of law as in other cases, and if it determines that no divorce shall be granted, final judgment must thereupon be entered accordingly. If it determines that the divorce ought to be granted, an interlocutory judgment must be entered, declaring that the party in whose favor the court decides is entitled to a divorce [.] ; and the court may, in its discretion [, if requested, restore to the wife, her maiden name] *and regardless of whether or not a request therefor was included in the prayer of the complaint, restore the maiden name of the wife or the name under which she was married.* After the entry of the interlocutory judgment, neither party shall have the right to dismiss the action without the consent of the other."

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 690 -An act to amend Section 479 of, and to add Section 479.5 to, the Agricultural Code, relating to milk drinks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1492—An act to amend Section 1126 and to add Sections 1127, 1128, and 1129 to the Labor Code, relating to collective bargaining agreements and prohibiting attempts to cause or induce violations thereof.

Motion to Set Special Order

Senator Rich moved that Senate Bill No. 1492 be made a special order of business for Thursday, May 1, 1947, at 2.30 p.m.

Motion carried.

Senate Bill No. 1493—An act to add Chapter 7, comprising Sections 1115, 1116, and 1117, to Part 3, Division 2 of the Labor Code, relating to jurisdictional strikes.

Motion to Set Special Order

Senator Rich moved that Senate Bill No. 1493 be made a special order of business for Thursday, May 1, 1947, at 2.30 p.m.

Motion carried.

Senate Bill No. 1265—An act to add Section 2191.5 to the Business and Professions Code, relating to applications to the Board of Osteopathic Examiners of the State of California for osteopathic physician's and surgeon's certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Swing, Tenney, Ward, and Williams—28.

NOES—None.

Motion to Amend Title

Senator Swing moved the adoption of the following title amendment:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on April 25, 1947, strike out "osteopathic".

Amendment read, and adopted.

Senate Bill No. 1265 ordered printed, and transmitted to the Assembly.

Senate Bill No. 954—An act to add Article 3a to, and to repeal Article 3 of, Chapter 7 of Division 8 of the Business and Professions Code, relating to motor fuel pump license tags.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 959—An act to amend Sections 12604, 12606, 12608, 12609, 12610, and 12612 of the Business and Professions Code, relating to containers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 476—An act to amend Sections 16723 and 16724 of the Business and Professions Code, relating to the preservation and regulation of competition.

Bill read third time.

The bill was called, and the bill passed by the following vote:

AYES—Senators Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Gordon, Hulse, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—Senators Donnelly and Jespersen—2.

Motion to Amend Title

Senator Ward moved the adoption of the following title amendment:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 25, 1947, strike out "Sections 16723 and 16724", and insert "Section 16723".

Amendment read, and adopted.

Senate Bill No. 476 ordered printed, and transmitted to the Assembly.

Senate Bill No. 960—An act to add Section 20709 to, and to amend Sections 20780, 20800, 20826, 20840, 20955, and 20960 of, the Business and Professions Code, relating to standards for petroleum products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1107—An act to amend Section 762.9 of the Agricultural Code, relating to inspection fees for inspection and certification of tomatoes, and declaring the urgency thereof, and to take effect immediately.

Bill read third time, and presented by Senator Weybret.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—Senator Crittenden—1.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 844—An act to amend Section 10 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Bill read third time, and presented by Senator Jespersen.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo,

O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 845—An act to amend Sections 2, 7, and 23.4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Bill read third time, and presented by Senator Jespersen.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—31.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2150—An act to amend Sections 10163 and 10479 of the Insurance Code, relating to life insurance.

Bill read third time, and presented by Senator McBride.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—27.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 846—An act to amend Sections 3 and 14 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Bill read third time, and presented by Senator Jespersen.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, and Weybret—26.
NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1446—An act to amend Section 11535 of the Business and Professions Code, relating to the regulation of real estate subdivisions.

Bill read third time.

Motion to Amend

Senator Kraft moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after "subdivisions", insert a comma and "and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, after line 27, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning

of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Due to the prevailing housing shortage, various schemes for the subdividing of bungalow courts and other similar property are being promoted and offered to the public by individuals and a few real estate operators without the safeguards which the Subdivision Map Act provides. It is essential for the protection of the public that such matters be subjected to regulation and control without delay."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 920—An act to amend Section 6854 of the Business and Professions Code, relating to the definition of "collection agency."

Bill read third time, and presented by Senator DeLap.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 761—An act to repeal the War Production Act, relating to employment and working conditions of female employees and to all permits issued thereunder.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Mayo, McBride, O'Gara, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

Senate Concurrent Resolution No. 40: By Senator Deuel—Relative to approving amendments to the charter of the City of Chico, County of Butte, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of April, 1947.

Request for Unanimous Consent

Senator Deuel asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 40, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 40

Senate Concurrent Resolution No. 40—Relative to approving amendments to the charter of the City of Chico, County of Butte, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of April, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Kraft, Mayo, McBride, O'Gara, Parkman, Quinn, Salsman, Slater, Sutton, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 919

Senator Crittenden moved that Senate Bill No. 919 be withdrawn from Committee on Governmental Efficiency, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 919—An act to amend Section 20060 of, and to add Section 20985 to, the Government Code, relating to the State Employees' Retirement System, authorizing the employment by contracting agencies of retired members to render consulting services and authorizing the retention in service after otherwise mandatory retirement age of certain qualified local miscellaneous members.

Bill read second time.

Motion to Amend

Senator Crittenden moved the adoption of the following amendments:

Amendment No. 1

In line 6 of the title of the printed bill, after "qualified", insert "State and".

Amendment No. 2

On page 2, line 26, of said bill, after "Sections", insert "20981,".

Amendment No. 3

On page 2, line 27, of said bill, after "applicable to", insert "State and".

Amendment No. 4

On page 2, line 28, of said bill, after "any", insert "State or".

Amendment No. 5

On page 2, line 30, of said bill, after "a", insert "State or".

Amendment No. 6

On page 2, line 32, of said bill, strike out "local miscellaneous".

Amendment No. 7

On page 2 of said bill, strike out line 47, and insert "in such finding and determination.

In respect to a local miscellaneous member, the finding and determi-".

Amendment No. 8

On page 3, line 11, of said bill, strike out "; provided, that until", and insert ". Until".

Amendment No. 9

On page 3, line 12, of said bill, strike out "shall have notified", and insert "notifies".

Amendment No. 10

On page 3, line 16, of said bill, strike out "provided further, that", and insert "but".

Amendment No. 11

On page 3 of said bill, after line 23, insert

"In respect to a state miscellaneous member, the finding and determination shall be made by the head of the state agency by which he is employed, within the 60

days immediately preceding the date on which such state miscellaneous member, or such person, would be retired except for the provisions of this section, and succeeding findings and determinations, if any, shall be made within the 60 days immediately preceding the expiration of the period of retention in service specified in the finding and determination under which such state miscellaneous member is currently employed by such state agency. Each such finding and determination shall be submitted promptly by the head of the state agency to the Board of Administration for approval, and if so approved, shall authorize the retention in service of such miscellaneous member, or of such person, for the period specified therein. Until the Board of Administration notifies the head of the state agency that the Board of Administration has approved, or has disapproved, as the case may be, such finding and determination, such state miscellaneous member, or such person, may be retained in service; but upon receipt by the head of the state agency of notification that his finding and determination has been disapproved by the Board of Administration, such state miscellaneous member, or such person, shall be retired forthwith, if he has attained, or he shall be retired as soon as he attains, the age at which retirement is required for such state miscellaneous members."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 967

Senator Judah moved that Senate Bill No. 967 be withdrawn from Committee on Social Welfare, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 967—An act to add Section 57.3 to, and to amend Section 58 of, the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "she", and insert "the individual"

Amendment No. 2

On page 1, line 9, of said bill, strike out "her husband", and insert "the spouse".

Amendment No. 3

On page 1, line 10, of said bill, strike out "she", and insert "the individual".

Amendment No. 4

On page 1, line 11, of said bill, strike out "her".

Amendment No. 5

On page 1, line 15, of said bill, strike out "she", and insert "a wife".

Amendment No. 6

On page 1 of said bill, strike out line 21, and insert "good cause, except that with respect to a claim for unemployment benefits for a period which does not immediately follow a period for which disability benefits are received, he shall be disqualified unless such good cause is directly attributable".

Amendment No. 7

On page 2, line 15, of said bill, after "shall", insert ", subject to the provisions of subdivision (b) of Section 13,".

Amendment No. 8

On page 2 of said bill, after line 26, insert

"SEC. 2. This act shall not become operative unless the Federal Security Administrator, prior to January 1, 1948, certifies that the provisions of the Unemployment Insurance Act as amended by this amendatory act are in conformity with

the provisions of Title 3 of the Social Security Act and Sections 1601 and 1602 of the Internal Revenue Code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1549

Senator Brown moved that Senate Bill No. 1549 be withdrawn from Committee on Local Government, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1549—An act to add Section 5.5 to, and to amend Section 6 of, an act entitled "An act relating to real property of a city, county, or city and county situate without the territorial boundaries of the owner, prescribing regulations concerning the handling and disposition of such property, whether by sale, lease, license or otherwise, and providing for the administration and enforcement of the provisions of this act," approved July 12, 1945, relating to the handling and disposition of such real property, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Senator Brown moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "amend", strike out "Section", and insert "Sections 2, 3, 5 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 7, and insert

"SEC. 2. Section 2 of said act is amended to read:

Sec. 2. No local agency shall make, demand or receive any charge in excess of a reasonable charge for the sale or other disposition or for the leasing, licensing or other use of any of its real property.

The economic utility of the property to the user of it for the purpose or purposes to which it is suited is the prime factor in determining the reasonableness of any such charge. For example, in the case of a lease for the grazing of livestock, the value of the forage to the livestock producer, taking into consideration the number of livestock the property reasonably will support when used in a manner that will conserve it as a grazing resource and the monetary return to the livestock producer by such use of the property, is the prime factor in determining the reasonableness of the rental charge.

The provisions of this section shall not apply to the sale of [unimproved vacant] property which is not occupied by a lawful tenant or lessee of the local agency and upon which there exist no improvements lawfully constructed or installed and lawfully maintained and which is sold to the highest bidder upon a call for bids.

SEC. 3. Section 3 of said act is amended to read:

Sec. 3. In making a sale or lease of any of its real property, a local agency must first give preference to the person or persons, if any, who have occupied or used that property or any portion of it as a lawful tenant or lessee of the local agency for not less than [two years within the next preceding three years] 24 months during the 36 months next preceding the date of the sale or lease, and an opportunity, within a reasonable period of time from and after written notice to him or them, to buy or lease it at a reasonable price or rental.

SEC. 4. Section 5 of said act is amended to read:

Sec. 5. If a local agency receives in excess of a reasonable charge for the sale or other disposition or for the leasing, licensing or other use of any of its real property, it shall repay the amount of such excess, with interest from the date of collection, to the person or persons from whom received.

The provisions of this section shall not apply to the sale of [unimproved vacant] property *which is not occupied by a lawful tenant or lessee of the local agency and upon which there exist no improvements lawfully constructed or installed and lawfully maintained and which is sold to the highest bidder upon a call for bids.*

SEC. 5. Section 6 of said act is amended to read: "

Amendment No. 3

On page 1, line 19, of said bill, strike out "3", and insert "5".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Local Government.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1351

Senator Hulse moved that Senate Bill No. 1351 be withdrawn from Committee on Governmental Efficiency, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1351—An act to amend Section 37 of the Alcoholic Beverage Control Act, relating to the disposition of funds collected as license fees.

Bill read second time.

Motion to Amend

Senator Hulse moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "Ninety-seven percent of all", and insert "All".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1352

Senator Hulse moved that Senate Bill No. 1352 be withdrawn from Committee on Governmental Efficiency, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1352—An act to amend Sections 5 and 37 of the Alcoholic Beverage Control Act, relating to license fees and the disposition thereof.

Bill read second time.

Motion to Amend

Senator Hulse moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 5 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26, inclusive; strike out all of page 2; and on page 3, strike out lines 1 to 26, inclusive, and insert
 "SECTION 1. Section 37 of the Alcoholic Beverage Control Act is".

Amendment No. 3

On page 3, line 33, of said bill, strike out "Ninety-seven percent of all", and insert "All".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 80

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Water Resources

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 581

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 9.

JESPERSEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Water Resources, to which was referred:

Senate Bill No. 577

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

JESPERSEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Water Resources, to which were referred:

Senate Bill No. 880

Senate Bill No. 214

Assembly Bill No. 418

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

JESPERSEN, Chairman

Above reported bills ordered to second reading.

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1263

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 6; absent 3.

BURNS, Vice Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1767

Assembly Bill No. 775

Assembly Bill No. 1708

Assembly Bill No. 271

Assembly Bill No. 438

Assembly Bill No. 1879

Assembly Bill No. 2

Assembly Bill No. 547

Assembly Bill No. 2429

Assembly Bill No. 789

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 2—An act to amend Sections 1500, 1501, and 1503 of the Welfare and Institutions Code, relating to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 271—An act to amend Section 3051 of the Welfare and Institutions Code, relating to treatment and operations to prevent blindness and to restore vision to blind persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 438—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by adding Section 8.1 thereto, relating to the rights of blind person in respect to the study and practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health and Safety.

Assembly Bill No. 547—An act to add Chapter 15 to Part 2 of Division 2 of Title 3 of the Government Code, relating to the powers and duties of counties and the boards of supervisors thereof, and authorizing the acquisition, construction, maintenance and operation of public incinerators and the issuance and sale of revenue bonds to finance the same and providing for the use and expenditure of the proceeds of such bonds and the use and disposition of revenue arising from public incinerators so financed.

Referred to Committee on Local Government.

Assembly Bill No. 775—An act to amend Section 480 of the Fish and Game Code, relating to fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 789—An act to add Section 252.1 to the Fish and Game Code, relating to refugees.

Referred to Committee on Fish and Game.

Assembly Bill No. 1708—An act to add Section 20950 to the Education Code, relating to the California School for the Blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 1767—An act to add Section 1152.5 to the Fish and Game Code, relating to driving or herding birds or mammals by airplane.

Referred to Committee on Fish and Game.

Assembly Bill No. 1879—An act to add Section 39.8 to the Fish and Game Code, relating to exhibiting fish and game educational material.

Referred to Committee on Fish and Game.

Assembly Bill No. 2429—An act to add Section 580 to the Streets and Highways Code, relating to the addition to the State Highway System of Route 240.

Referred to Committee on Transportation.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1081—An act to amend Sections 1324, 1325, 1329, and 1530, and to repeal Section 1331 of the Insurance Code, relating to reciprocal or interinsurance exchanges.

Bill read third time.

Motion to Amend

Senator McBride moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 2, of the printed bill, strike out "14415", and insert "14½".

Amendment read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

ADJOURNMENT

At 3.55 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Tuesday, April 29, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FIFTY-FOURTH LEGISLATIVE DAY

ONE HUNDRED FOURTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Tuesday, April 29, 1947

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, president of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Mayo, on motion of Senator Powers, due to illness.

Senator Busch, on motion of Senator Carter, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Sutton, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. William S. Randall of Colusa and Mrs. Maydell Wise of Honolulu.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Frank D. Van Vliet, instructor, and the following students of the Yuba City Union High School: Carl Bonelli, Margaret Cummings, Marilyn Davies, Bobbie Denson, Lawrence Dutton, Amon Fairey, Naomi Hall, Joyce Harris, John Lord, Lorraine Moltz, Alfred Perrin, Toyoko Tagawa, Marjorie

Ulrey, Barbara Vawter, Barbara Adams, Fay Chilton, Betty Delay, Gerald Frye, Darrel Gordon, Frank Heffley, Carmen Irwin, George Purcell, Harold Sanchez, John Warren, Robert Wright, Sharon Brown, Harold Crutchfield, Anita Davis, Margaret Dihel, Ethel Edmond, Harold Griffith, Dorothy Hermans, Kenneth Hoon, Marilyn McKee, Bob Mayfield, Lauren Stanfield, John Tredway, Charles Adams, Ken Branaman, Wilma Carter, Donna Cross, Ben Fukumitso, Duane Hagan, Albert Hurdle, Diane Miller, Eugene Salca, Eugene Shrader, and Jackie Wilber.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Chester Robinson of Modesto.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. D. F. MacPherson, Mr. A. P. Brewer, and Mr. Jack Culbertson, of Ventura County.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. G. Revelle Harrison, Past President of the California Republican Assembly, of Los Angeles.

On request of Senator Breed, the privilege of the floor of the Senate Chamber of this day was unanimously extended to the following students from International House, University of California, at Berkeley:

I. H. Laevsky of China, J. Jedeikin of Latvia, J. E. Imergluck of Poland, Ren Hwa Shan of China, Sital Alim of India, G. J. Gray of U. S. A., H. S. Wu of China, Hossein Hashemi of Iran, Liang Chung-liang of China, Celia Girona of Cuba, Ho Cheng-lee of China, Hector C. Leuterio of Philippines, Jahl Abul-Hab of Iraq, George R. Reel of Los Angeles, Ralph T. Walters of New York, M. June Arney of Canada, Sam H. Dalal of India, Arthur H. Korn of Washington, D. C., Marjorie M. Childs of New York, Roshan H. Marker of India, H. E. English of Canada, Irving Glenne Tragen of San Francisco, David Low Kum of Union of South Africa, Lin Kwa-quen of China, Jacques Maton of Belgium, Jose M. Perello of Spain, T. C. Broyer of U. S. A., Dorian Ginzberg of Palestine, Sven Egelin of Sweden, Paul Gaul-Olsen of Norway, Erin Sunel of Turkey, Soren L. Christensen of Norway, Cynthia H. Polakow of South Africa, Edmundo Kugelmas of Argentina, E. Doebling of Argentina, Bachman of U. S. A., and Mrs. E. S. Carlson of U. S. A., instructor.

On request of Senator Tenney and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Helen S. Mackie and Hazel Hurst of Los Angeles.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Wm. Ellis Ripley, Palo Alto, and Richard S. Croker, San Francisco.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. F. Brown, Coarsegold, and L. R. Wright of Oakhurst.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 476

Senate Bill No. 1265

Senate Bill No. 1050

Senate Bill No. 1314

Senate Bill No. 1210

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 174

Senate Bill No. 1097

Senate Bill No. 523

Senate Concurrent Resolution No. 39

Senate Bill No. 569

Senate Concurrent Resolution No. 40

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 641

Senate Bill No. 646

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 9

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 196

Senate Bill No. 655

Senate Bill No. 204

Senate Bill No. 724

Senate Bill No. 349

Senate Bill No. 760

Senate Bill No. 407

Senate Bill No. 1171

Senate Bill No. 597

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1—An act to add Section 14053.5 to the Health and Safety Code, relating to members of the board of fire commissioners of fire protection districts in unincorporated areas;

Senate Bill No. 222—An act to amend Section 16 of the Corporate Securities Act, relating to void securities;

Senate Bill No. 225—An act to amend Section 4 of the Corporate Securities Act, relating to the issuance of permits;

Senate Bill No. 339—An act to add Section 7006.1 to the Education Code, relating to emergency state aid to school districts, declaring the urgency thereof, to take effect immediately;

Senate Bill No. 348—An act to add Division 15, comprising Sections 20700 to 20808, inclusive, and to add Section 40009 and 40010 to Division 30 of the Health and Safety Code to consolidate and revise the law relating to the regulation of the sale of poisons, and to repeal acts and parts of acts specified herein;

Senate Bill No. 395—An act to amend Section 405 of the Fish and Game Code, relating to licenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1947, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 397—An act to amend Section 409 of, and to add Sections 410 and 411 to the Fish and Game Code, relating to licenses;

Senate Bill No. 413—An act to repeal Chapter 506 of Statutes of 1913, Chapters 426, 428, and 429 of Statutes of 1919, and Chapter 737 of Statutes of 1921, relating to appropriations to the University of California;

Senate Bill No. 428—An act to amend Section 4281 of the Political Code and Section 28152 of the Government Code, relating to compensation for public services in counties;

Senate Bill No. 497—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, and declaring the urgency thereof, to take effect immediately;

Senate Bill No. 621—An act to amend Sections 12 and 16 of the Construction and Employment Act, relating to county road or highway and sewage facility projects, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1947, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 826—An act amending Sections 6489 and 6564 of the Health and Safety Code, relating to sanitary districts;

Senate Bill No. 833—An act providing for the transfer to the Department of Education of exclusive jurisdiction and control over certain lands;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1947, at 10 a.m.

POWERS, Chairman

Committee on Natural Resources

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which were referred:

Assembly Bill No. 986

Assembly Bill No. 10

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

DELAP, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Natural Resources, to which was referred:

Senate Bill No. 1116

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 8; absent 1.

DELAP, Chairman

Above reported bill ordered to second reading.

Committee on Public Health and Safety

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Public Health and Safety, to which were referred:

Senate Bill No. 763

Senate Bill No. 990

Senate Bill No. 1256

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 5; absent 4.

COLLIER, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Assembly Concurrent Resolution No. 13

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 436

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1188

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; noes 2.

SWING, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 648

Senate Bill No. 1174

Assembly Bill No. 92

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which were referred:

Senate Bill No. 702

Assembly Bill No. 106

Assembly Bill No. 596

Assembly Bill No. 841

Assembly Bill No. 1019

Assembly Bill No. 1327

Assembly Bill No. 1366

Assembly Bill No. 1367

Assembly Bill No. 1402

Assembly Bill No. 1404

Assembly Bill No. 1450

Assembly Bill No. 1707

Assembly Bill No. 1721

Assembly Bill No. 1722

Assembly Bill No. 1723

Assembly Bill No. 1724

Assembly Bill No. 1725

Assembly Bill No. 1726

Assembly Bill No. 2505

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bills ordered to second reading.

RESOLUTIONS

The following resolution was offered :

By the Committee on Rules :

Senate Resolution No. 77

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate in favor of the Secretary of the Senate in the sum of two thousand five hundred dollars (\$2,500) for postage for the Senate, and the Treasurer is directed to pay the same.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Judah, Keating, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Watson, Weybret, and Williams—24.

NOES—None.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT : I am directed to inform your honorable body that the Assembly on this day passed :

Assembly Bill No. 24
Assembly Bill No. 32
Assembly Bill No. 45
Assembly Bill No. 47
Assembly Bill No. 49
Assembly Bill No. 227
Assembly Bill No. 591
Assembly Bill No. 964
Assembly Bill No. 1070
Assembly Bill No. 1273
Assembly Bill No. 1295

Assembly Bill No. 1362
Assembly Bill No. 1534
Assembly Bill No. 1592
Assembly Bill No. 1762
Assembly Bill No. 1854
Assembly Bill No. 1884
Assembly Bill No. 1991
Assembly Bill No. 2070
Assembly Bill No. 2108
Assembly Bill No. 2172
Assembly Bill No. 2319

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time :

Assembly Bill No. 24—An act adding Sections 11543 and 11544 to the Business and Professions Code, relating to sewers in real estate subdivisions.

Referred to Committee on Local Government.

Assembly Bill No. 32—An act to add Section 530 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation.

Assembly Bill No. 45—An act to amend Section 1833 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 47—An act to amend Section 19401 of the Government Code, relating to completion of civil service examinations after military service, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 49—An act to amend and renumber Section 19398 of the Government Code, as added by Chapter 68 of the Statutes of 1945, to be Section 19404 of said code, relating to promotional examination rights of state civil service employees.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 227—An act to add Article 12, consisting of Sections 8000, 8001, 8002, 8003, 8004, 8005, and 8006, to Chapter 4, Part 2, Division 7, of the Health and Safety Code, relating to county cemeteries.

Referred to Committee on Local Government.

Assembly Bill No. 591—An act to amend Sections 6i, 15d, and 15f of the Municipal Utility District Act as enacted by Chapter 218 of the Statutes of 1921 and thereafter amended and to amend Sections 1400, 1424, and 1530 of the Municipal Utility District Act, as revised by Senate Bill No. 50 of the 1947 Regular Session, relating to municipal utility districts, sewer facilities thereof, and taxation thereby, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Local Government.

Assembly Bill No. 964—An act to add Section 1352.1 to the Labor Code, relating to the working hours of women employed in executive, administrative or professional capacity.

Referred to Committee on Labor.

Assembly Bill No. 1070—An act to amend Sections 181, 188, 189, 193, and 300 of, and to repeal Sections 190, 191, 232 and Article 2 of Chapter 2 of Division 1 of the Streets and Highways Code, relating to streets and highways and providing for the abolition of the distinction between primary and secondary state highways.

Referred to Committee on Transportation.

Assembly Bill No. 1273—An act to add Section 6366 to the Revenue and Taxation Code, and to repeal Section 6382 and 6382.1 of that code, relating to the exemption of the sales and use of certain aircraft from the sales tax and from the use tax, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1295—An act to add Section 2.5 to the Drainage District Improvement Act of 1919, relating to drainage within municipalities.

Referred to Committee on Local Government.

Assembly Bill No. 1362—An act to amend Section 3714.17 of the Political Code and Section 29147 of the Government Code, relating to county budgets.

Referred to Committee on Local Government.

Assembly Bill No. 1534—An act to amend Section 1 of "An act authorizing any municipal corporation, using the word 'town' in its corporate name, to change such word to 'city' and providing the procedure therefor," approved February 28, 1911, relating to change of corporate name from "town" to "city" and validating proceedings heretofore taken to change such corporate name.

Referred to Committee on Local Government.

Assembly Bill No. 1592—An act to relinquish to the City and County of San Francisco any and all right, title and interest of the State

of California in and to the present and former street areas within the exterior boundaries of salt marsh and tidelands donated by the State to Southern Pacific Railroad Company and Western Pacific Railroad Company by an act entitled "An act to survey and dispose of certain salt marsh and tidelands belonging to the State of California," affirmed March 30, 1868, and adjacent streets, and to remove all restrictions as to the use or disposition thereof by said City and County of San Francisco, and repealing all acts and parts of acts in conflict herewith.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1762—An act to add Section 730.5 to the Streets and Highways Code, relating to penalties for damage to trees on state highways.

Referred to Committee on Transportation.

Assembly Bill No. 1854—An act to add Section 6515 to the Welfare and Institutions Code, relating to leaves of absence of employees required by the State Personnel Board to possess teaching certificates, to attend educational sessions.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 1884—An act to repeal Chapters 2, 3, 4, and 5, and to amend Chapters 6 and 7 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the organization, incorporation, and government of municipal corporations.

Referred to Committee on Local Government.

Assembly Bill No. 1991—An act to amend Section 694 of, and to add Section 40.5 to, the Vehicle Code, relating to size and width of vehicles.

Referred to Committee on Transportation.

Assembly Bill No. 2070—An act to amend Section 820.5 of the Streets and Highways Code, relating to the performance of work for the Federal Government.

Referred to Committee on Transportation.

Assembly Bill No. 2108—An act to repeal Section 256.5 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2172—An act to amend Section 4022 of the Political Code, relating to official bonds of county and township officers.

Referred to Committee on Local Government.

Assembly Bill No. 2319—An act to amend Section 4255 of the Political Code and Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class.

Referred to Committee on Local Government.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill No. 80—An act to add Part 10 to Division 3 of Title 2 of the Government Code, creating a Commission on Political and Economic Equality, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Political and".

Amendment No. 2

On page 1, line 4, of said bill, strike out "political and".

Amendment No. 3

On page 1, line 14, of said bill, strike out "either the political or economic fields", and insert "the economic field".

Amendment No. 4

On page 1, line 25, of said bill, strike out "Political and".

Amendment No. 5

On page 3, line 5, of said bill, strike out "political or".

Amendment No. 6

On page 3, line 46, of said bill, strike out "Political and".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 581—An act making an appropriation to the Water Resources Board for the investigation of the water resources of the Santa Ana River stream system.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Water Resources:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert "sum of fifty thousand dollars (\$50,000) to the Water Resources".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

Senate Bill No. 577—An act to amend Section 8361 of the Water Code, and to add Articles 4, 5 and 6 to Chapter 3 of Part 2 of Division 5 of said Water Code, all relating to the operation and maintenance of the works of the Sacramento River Flood Control Project, and other projects for which the Reclamation Board has given, or shall hereafter give assurances to the United States of state or local cooperation required by federal law; providing for the payment of the cost of maintenance by means of assessments levied upon the property benefited by the operation and maintenance of such works, prescribing the duties of the

Reclamation Board, the Department of Public Works, the State Engineer, and other public officers in connection therewith, creating certain funds in the State Treasury, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Water Resources:

Amendment No. 1

On page 2, line 23, of the printed bill, strike out the period, and insert "and the east levee of the Yolo By-Pass from the Fremont Weir southerly two miles."

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 880—An act to add Section 46.5 to the State Water Resources Act of 1945 and Sections 18 and 19 to the Flood Control Fund Act of 1946, relating to flood control.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 214—An act to amend Sections 23600, 23603, 23626, 23673, 23875, 23981, 24528, and 24529 of, and to add Sections 23674, 23878, and 23879 to, the Water Code, relating to improvement districts in irrigation districts, declaring the urgency hereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1263—An act to add Sections 9502.1, 9505.1, 9540.1, 9540.2, 9540.3, 9540.4, 9544, and 9545 to the Business and Professions Code, and to amend Sections 9511, 9518, 9530, 9540, 9541, 9550, 9553, 9554, 9563, 9566, 9575, 9576, 9577, 9580, 9581, 9590, 9594, and 9595 of said code, relating to the regulation and practice of dry cleaning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

In line 4 of the title of the printed bill, following "9563", insert "9564".

Amendment No. 2

On page 4, line 40, of the printed bill, strike out "31st", and insert "30th".

Amendment No. 3

On page 5, line 4, of the printed bill, strike out "31st", and insert "30th".

Amendment No. 4

On page 7, line 26, of the printed bill, strike out "with", and insert "within".

Amendment No. 5

On page 8, line 1, of the printed bill, strike out "said".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 8 of the printed bill, following line 5, insert

"SEC. 27. Section 9564 of said code is amended to read:

9564. Upon receipt of a petition under this article the board shall investigate and ascertain those minimum prices which will enable cleaners, dyers, or pressers in that city or county or other area to furnish modern, proper, healthful and sanitary services, using [modern] such appliances and equipment [so] as [to] will minimize danger to public health and safety incident to such services.

In establishing minimum price schedules, the board shall consider all conditions affecting the business of cleaning, dyeing and pressing in that city, county or other area and the relation of those conditions to the public health, welfare and safety."

Amendment No. 7

On page 4, line 32, of said bill, following "thereof," insert "or for such longer period as the board may allow,".

Amendment No. 8

On page 2 of the printed bill, following line 7, insert

"A person does not conduct an agency within the meaning of this chapter if no charge is made for the services rendered and the only compensation received is a gratuity."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1445—An act to amend Sections 254, 255, 256, 263, and 271 of the Health and Safety Code, and to amend and renumber Sections 257 and 258 of said code, to add Section 275.5 to said code, and to repeal Sections 265 and 266 of said code, relating to physically handicapped children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "275.5", and insert "257.5".

Amendment No. 2

On page 3, line 1, of said bill, strike out "device", and insert "devise".

Amendment No. 3

On page 3, line 5, of said bill, strike out "contained", and insert "continued".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Assembly Bill No. 418—An act to add Sections 22252.1 and 22252.2 to, and to amend Section 22257 of, the Water Code, relating to irrigation districts and the distribution of water in irrigation districts, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Bill No. 100—An act to amend Sections 4242 and 4257 of the Political Code and Sections 28113 and 28128 of the Government Code, relating to compensation for public services.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 100?

Amendment No. 1

Strike out lines 1, 2 and 3 of the title of the printed bill, and insert

"An act to amend Sections 4242 and 4257 of the Political Code and Sections 28113 and 28128 of the Government Code, relating to compensation for public services."

PRINTER'S NOTE:—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 4242 of the Political Code is amended to read:

4242. In counties of the thirteenth class, the following shall receive as compensation for the services required of them by law or by virtue of their office, the following sums:

1. The county auditor, [four thousand five hundred dollars (\$4,500)] *five thousand one hundred dollars (\$5,100)* per annum.

2. The district attorney, [five thousand two hundred dollars (\$5,200)] *six thousand dollars (\$6,000)* per annum.

3. Each supervisor shall be paid a salary of four thousand five hundred dollars (\$4,500) per annum for all personal services performed by him as supervisor, member of the board of equalization and road commissioner, and in addition thereto each supervisor shall receive his actual and necessary traveling expenses incurred in performing any of the duties of his office, the claim for which shall be allowed and paid out of the county general fund in the same manner as other claims are allowed and paid; provided, however, that the said traveling expenses exclusive of meals and hotel accommodations shall not exceed the sum of five cents (\$0.05) per mile.

4. Each member of the grand jury shall be allowed four dollars (\$4) for each day in attendance upon the sessions of the grand jury or for each day's active and necessary service as a member of any committee of the grand jury. Each grand juror shall be allowed mileage at the rate of five cents (\$0.05) per mile for each and every mile actually and necessarily traveled in attendance upon and returning from meetings of the grand jury or any actual or necessary session of a grand jury committee, duly called by the secretary, or committee chairman; provided, no mileage shall be allowed outside of the county; for attending as a trial juror in the superior court, for each day's attendance per day two dollars (\$2); for attending as a trial juror in the justice's court for each juror sworn to try the cause per day two dollars (\$2); for each mile actually traveled in attending court as a juror, five cents (\$0.05) per mile each way.

The compensation provided by this section shall be paid to incumbent officers.

SEC. 2. Section 4257 of the Political Code is amended".

Amendment No. 3

On page 2 of said bill, strike out line 15, and insert

"SEC. 3. Section 28113 of the Government Code is amended to read:

28113. In a county of the thirteenth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The county auditor, [four thousand five hundred dollars (\$4,500)] *five thousand one hundred dollars (\$5,100)* a year.

(b) The district attorney, [five thousand two hundred dollars (\$5,200)] *six thousand dollars (\$6,000)* a year.

(c) Each supervisor, four thousand five hundred dollars (\$4,500) a year for all personal services performed by him as supervisor, member of the Board of Equalization, and road commissioner and his actual and necessary traveling expenses incurred in performing any of the duties of his office, the claim for which shall be allowed and paid out of the county general fund in the same manner as other claims are allowed and paid. The traveling expenses exclusive of meals and hotel accommodations shall not exceed five cents (\$0.05) a mile.

(d) Each member of the grand jury shall be allowed four dollars (\$4) for each day in attendance upon the sessions of the grand jury or for each day's active and necessary service as a member of any committee of the grand jury. Each grand juror shall be allowed mileage at the rate of five cents (\$0.05) a mile for each mile actually and necessarily traveled in attendance upon and returning from meetings of the grand jury or any actual or necessary session of a grand jury committee duly called by the secretary or committee chairman, but no mileage shall be allowed outside of the county. For attending as a trial juror in the superior court, for each day's attendance, two dollars (\$2); for attending as a trial juror in the justice's court for each juror sworn to try the cause, two dollars (\$2) a day; for each mile actually traveled in attending court as a juror, five cents (\$0.05) a mile each way.

The compensation provided by this section shall be paid to incumbent officers.
SEC. 4. Section 28128 of the Government Code is".

Amendment No. 4

On page 3 of said bill, strike out line 1, and insert

"**SEC. 5.** Sections 3 and 4 of this act become operative only if".

Amendment No. 5

On page 3 of said bill, strike out lines 4 and 5, and insert "the same time as said Title 3 takes effect; at which time Sections 4242 and 4257 of the Political Code are hereby repealed."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 100 by the following vote:

AYES—Senators Breed, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Watson, Weybret, and Williams—25.

NOES—None.

Above bill ordered enrolled.

RECESS

At 1.55 p.m., on motion of Senator Powers, the Senate recessed to allow Lieutenant Governor Goodwin J. Knight to introduce Governor Thomas J. Mabry of the State of New Mexico to the Senate, and to hear the remarks of Governor Mabry.

REASSEMBLED

At 2 p.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Chief Assistant Secretary Cleve V. Taylor at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

Consideration of Assembly Amendments

Senate Bill No. 341—An act to amend Section 1503 of the Education Code, relating to the interdistrict attendance of pupils.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 341?

Amendment No. 1

On page 2 of the printed bill, following line 12, insert

"The provisions of this section do not apply to the attendance of pupils in the seventh and eighth grades of a junior high school."

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 341 by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen,

Judah, Keating, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—33.
 NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 389—An act to amend Section 4244 of the Political Code and Section 28115 of the Government Code, relating to compensation for public services in counties of the fifteenth class.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 389?

Amendment No. 1

On page 2, line 35, of the printed bill, strike out "five", and insert "four".

Amendment No. 2

On page 2, line 36, of said bill, strike out "\$8,500", and insert "\$8,400".

Amendment No. 3

On page 2, line 37, of said bill, strike out "five", and insert "four".

Amendment No. 4

On page 2, line 38, of said bill, strike out "\$8,500", and insert "\$8,400".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 389 by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—32.
 NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 505—An act to amend Section 4259 of the Political Code and Section 28130 of the Government Code, relating to compensation for public services in counties.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 505?

Amendment No. 1

On page 2, line 3, of the printed bill, strike out "21830", and insert "28130".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 505 by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—35.
 NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 589—An act to amend Section 22727 of the Water Code, relating to verified claims for damages.

The question being : Shall the Senate concur in the following Assembly amendment to Senate Bill No. 589?

Amendment No. 1

On page 1 of the printed bill, strike out lines 8, 9, and 10, and insert "shall be presented in writing and filed with the officers or employees involved and also with the secretary within 90 days after the accident or injury has occurred. If an officer or employee cannot be found to be served, the officer's or employee's copy may be served on the secretary, but in any event a verified claim must be served on the secretary."

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 589 by the following vote :

AYES—Senators Breed, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—33.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 662—An act to add Article 3 to Chapter 1 of Division 1 of the Agricultural Code and to repeal an act entitled "An act to promote the welfare of the poultry industry of the State of California; to encourage the breeding of poultry stock through public testing and demonstration of the results of superior breeding, and to make an appropriation," approved July 22, 1939, relating to the Poultry Improvement Commission.

The question being : Shall the Senate concur in the following Assembly amendments to Senate Bill No. 662?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1 of", and insert "to add Article 3 to Chapter 1 of Division 1 of the Agricultural Code and to repeal".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert "SECTION 1. Article 3 is added to Chapter 1 of Division 1 of the Agricultural Code, to read :

Article 3. The Poultry Improvement Commission

43. There is in the State Government the Poultry Improvement Commission. The commission consists of 10 members, three of whom are ex officio members and seven of whom are appointed by the Governor for terms as hereinafter provided.

The ex officio members are :

- (a) The Chief of the Poultry Division of the University of California.
- (b) The Chief of the Veterinary Division of the University of California.
- (c) The director.

The seven appointive members are :

- (a) The five members heretofore appointed, the terms of whom shall expire in the rotation heretofore established.
- (b) Two members who shall be appointed by the Governor after this section takes effect for terms of two and four years, respectively, and whose successors shall be appointed for terms of four years.

Each appointive member shall serve for the term for which he is appointed and until his successor has been appointed and qualifies.

In making appointments the members shall be chosen so far as possible to give representation to the seven major poultry districts of the State.

44. The members of the commission shall serve without compensation but may be reimbursed for their necessary traveling and other expenses incurred in the performance of their official duties.

45. The commission shall annually conduct a poultry testing project in the vicinity of Modesto or at such other place in the State as the commission may determine which has similar qualifications as to central location, mild climate, and freedom from communicable diseases of poultry.

The commission may provide for the collection of fees from exhibitors in such amounts as, in the opinion of the commission, will make the poultry testing projects self perpetuating and self supporting.

The commission may construct necessary buildings, employ necessary personnel, disburse and receive funds for the purpose of conducting poultry testing projects, prescribe rules and regulations and do all things necessary for the conduct of poultry testing projects.

46. All state agencies, services, and facilities, including the University of California, the Department of Public Works, the State Printer, and the department shall cooperate in providing such services in connection with the carrying out of the provisions of this article as the commission may require.

47. The poultry testing project fund in the State Treasury is continued in existence. All money received by the commission shall be paid into said fund and disbursed therefrom upon order of the commission for the purposes of carrying out this article.

48. The commission shall make rules and regulations governing the payment of cash awards or premiums to exhibitors whose entries demonstrate the results of superior breeding and may pay the same from the Poultry Testing Project Fund or any other money available for such purpose.

Sec. 2. The act cited in the title hereof is repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 20, inclusive.

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 662 by the following vote:

AYES—Senators Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Weybret, and Williams—29.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 665—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 665?

Amendment No. 1

On page 1, line 16, of the printed bill, before "for", insert "or spouses".

Amendment No. 2

On page 2, line 5, of the printed bill, after "dependents", insert "or spouses".

Amendment No. 3

On page 2, line 14, of the printed bill, after "dependents", insert "or spouses".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 665 by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Watson, Weybret, and Williams—31.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 668—An act to amend Sections 11529 and 11530 of the Insurance Code, and to add to the Insurance Code a new section to be numbered 11529.5, all relating to voluntary mutualization of incorporated life and life and disability insurers.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 668?

Amendment No. 1

On page 3, line 9, of the printed bill, as amended, strike out "dur-"; and strike out lines 10 to 14, both inclusive, and insert "for not longer than thirty (30) years and thereafter until the termination of the trust provided for in Section 11529. The trust created pursuant to the provisions of this section shall terminate in any event upon termination of the trust provided for in Section 11529. Upon the termination of the trust created pursuant to the provision of this section, any shares held in such trust shall revert to the persons entitled thereto by law."

Amendment No. 2

On page 1, line 15, of the printed bill, as amended, before "stock", insert "such".

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 668 by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, and Williams—32.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 944—An act to amend Sections 6401 and 6402 of the Public Resources Code, and to add Sections 6403 and 6404 thereto, relating to the reservation of oil, gas, and mineral rights in state lands.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 944?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 6403", and insert "Sections 6403 and 6404".

Amendment No. 2

On page 2 of said bill, after line 42, insert

"SEC. 4. Section 6404 is added to said code, to read:

6404. Any state agency that sells any of the lands listed in Section 6403, other than tax-deeded lands, may, with the approval of the State Lands Commission, reserve to the State any or all oil, gas, oil shale, coal, phosphate, sodium, gold, silver, or other mineral deposits therein, together with the right to prospect for, mine and remove such deposits, and to occupy and use so much of the surface of the land as may be necessary therefor."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 944 by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, and Williams—30.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 319—An act to amend Sections 13640 and 13643 and to repeal Sections 13642, 13644, and 13645 of the Government Code, relating to state printing funds.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 319?

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "that", and insert "the".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 319 by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, and Williams—30.

NOES—None.

Above bill ordered enrolled.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Gordon:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act providing for withdrawal and cancellation of any application heretofore filed by the Department of Finance for the appropriation of waters of Conn Creek and its tributaries, with the exception of any application for the appropriation of the waters of Rector Creek and its tributaries.

Respectfully submitted.

SENATOR GORDON

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 29, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, and Williams—32.

NOES—None.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Breed:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal Section 9300 of, and to add Section 9300 to, the Government Code, relating to the salaries of Members of the Legislature.

Respectfully submitted.

SENATOR ARTHUR H. BREED, JR.

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 29, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote :

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, and Williams—32.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time :

Senate Bill No. 1563: By Senator Gordon—An act providing for withdrawal and cancellation of any application heretofore filed by the Department of Finance for the appropriation of waters of Conn Creek and its tributaries, with the exception of any application for the appropriation of the waters of Rector Creek and its tributaries.

Referred to Committee on Water Resources.

Senate Bill No. 1564: By Senator Breed—An act to repeal Section 9300 of, and to add Section 9300 to, the Government Code, relating to the salaries of Members of the Legislature.

Referred to Committee on Governmental Efficiency.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 1314—An act to amend Section 131 of the Civil Code, relating to divorce, including actions and causes of action therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote :

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Senate Bills Nos. 277 and 278 were taken up.

Senate Bill No. 277—An act to add Section 743.7 to the Vehicle Code, relating to criminal proceedings and evidence of intoxication of drivers.

Motion to Reset Special Order

Senator Judah moved that Senate Bills Nos. 277 and 278 be made a special order of business for Wednesday, April 30, 1947, at 2.30 p.m.

Motion carried.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 465—An act to amend Section 3065 of the Civil Code, providing for liens on logs, lumber and other timber products by persons who by their own labor, or by using their livestock, machinery or appliances, or both, assist in felling, preparing, or transporting logs or in manufacturing lumber or other timber products from such logs, providing for means by which the owner of such logs and products manufactured therefrom may protect himself by a contractor's bond against any liens in excess of the contract price agreed upon between the said owner and any contractor and making such liens prior to all other liens, claims or encumbrances, except the landowner's claim for a reasonable stumpage in cases where the landowner himself is not the direct employer or contractor, as the case may be.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Brown, DeLap, Desmond, Deuel, Dilworth, Judah, Keating, Quinn, and Ward—9.

NOES—Senators Breed, Burns, Carter, Collier, Crittenden, Dillinger, Donnelly, Hatfield, Hulse, Jespersen, McBride, O'Gara, Parkman, Powers, Slater, Sutton, and Williams—17.

Senate Bill No. 1078—An act to amend Section 1500 of the Insurance Code, relating to the appointment, licensing, qualification and regulation of insurance agents, brokers and solicitors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, O'Gara, Parkman, Powers, Quinn, Slater, Tenney, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1081—An act to amend Sections 1324, 1325, 1329, and 1530, and to repeal Section 1331 of the Insurance Code, relating to reciprocal or interinsurance exchanges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Slater, Sutton, Tenney, Ward, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1082—An act to amend Section 1731 of the Insurance Code, relating to the suspension, revocation or denial of insurance licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Keating,

McBride, McCormack, O'Gara, Powers, Rich, Slater, Sutton, Tenney, Ward, and Williams—25.

NOES—Senator Judah—1.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1261—An act to amend Sections 22, 101, 111, and 201 of the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Rich, Slater, Sutton, Tenney, Ward, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 499—An act to add Sections 10131.5 and 10151.5 to the Business and Professions Code, relating to nonresident real estate brokers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Rich, Slater, Sutton, Tenney, Ward, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 498—An act to amend Section 11000 of the Business and Professions Code, relating to subdivided lands, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried. Time 3.05 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

Further Proceedings Under Call of the Senate Dispensed With

At 3.06 p.m., on motion of Senator Breed, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and the urgency clause to Senate Bill No. 498 adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Rich, Slater, Sutton, Tenney, Ward, and Williams—27.

NOES—None.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried. Time, 3.08 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE**CONSIDERATION OF DAILY FILE (RESUMED)****THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 1560—An act to add Section 3694 to the Political Code, relating to the powers and duties of the members of the State Board of Equalization, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Tenney, Ward, and Williams—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Tenney, Ward, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 597—An act to amend Section 5 of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval on February 25, 1901, relating to the issuance of municipal improvement bonds, providing for the payment thereof, declaring the urgency of this act, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Slater, Sutton, Tenney, Ward, and Williams—28.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH**

At 3.15 p.m., on motion of Senator Breed, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 498 passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

Senate Bill No. 196—An act to add Sections 261c and 261d to the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Bill read third time.

Motion to Amend

Senator O'Gara moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "261c and 261d", and insert "261e and 261f".

Amendment No. 2

On page 1, line 1, of said bill, strike out "261c", and insert "261e".

Amendment No. 3

On page 1, line 3, of said bill, strike out "261c", and insert "261e".

Amendment No. 4

On page 2, line 6, of said bill, strike out "261d", and insert "261f".

Amendment No. 5

On page 2, line 7, of said bill, strike out "261d", and insert "261f".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 1171—An act to amend Section 3022 of the Civil Code, relating to giving of notice of assignment of accounts receivable.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 204—An act to add Section 418 to the Education Code, relating to the qualifications and salaries of county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 349—An act to add Section 7008.1 to the Education Code, relating to apportionment of the State School District Emergency Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, and Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 407—An act to amend Section 1804 of the Education Code, relative to school elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McCormack, O'Gara, Parkman, Powers, Quinn, Slater, Sutton, Tenney, Ward, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 724—An act to amend Section 13842 of the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, and Williams—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

President Pro Tempore of the Senate Presiding

At 3.47 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Senate Bill No. 1210—An act to repeal Section 16075 and add new Section 16075 to the Education Code, relating to membership in any secret fraternity, sorority or club.

Bill read third time.

Previous Question

Senator McBride moved the previous question.

Motion carried.

The question being on the final passage of Senate Bill No. 1210.

The roll was called, and the bill refused passage by the following vote:

AYES—Senators Brown, Crittenden, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, O'Gara, and Salsman—10.

NOES—Senators Breed, Collier, Cunningham, DeLap, Deuel, Hulse, Keating, McBride, McCormack, Parkman, Powers, Quinn, Slater, Sutton, Tenney, Ward, and Williams—17.

Senate Bill No. 174—An act to amend the Welfare and Institutions Code by adding thereto Sections 5181.5 and 5185.1 and to amend Sections 5047 and 5185 thereof, relating to public guardians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Judah, Keating, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, and Williams—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 9—An act to amend Section 5932, and to add Sections 5882 and 7791.5, and Article 3a to Chapter 5 of Division 8, of the Elections Code, relating to absent voting.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, O'Gara, Parkman, Powers, Salsman, Slater, Tenney, Ward, and Williams—22.

NOES—Senators Judah and Quinn—2.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

Senate Concurrent Resolution No. 41: By Senator Breed—Relative to approving a certain amendment to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of April, 1947.

Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 41, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 41

Senate Concurrent Resolution No. 41—Relative to approving a certain amendment to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of April, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, O'Gara, Powers, Quinn, Slater, Sutton, Tenney, Ward, and Williams—22.

NOES—None.

Resolution ordered transmitted to the Assembly.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Williams moved that Senate Bill No. 1156 be taken from the inactive file and placed on the second reading file.

Motion carried.

RESOLUTIONS

The following resolution was offered:

By Senators Dilworth and McBride:

Senate Resolution No. 78**Relating to the Junior Ebell Club of Santa Paula**

WHEREAS, The California Federation of Junior Women's Clubs has made participation in governmental activities one of their major objectives for the past two years, emphasizing voter registration, group study of ballot issues, and the importance of each citizen making use of his ballot franchise with ample information and careful consideration; and

WHEREAS, The Junior Ebell Club of Santa Paula has been awarded the distinction of achieving the most outstanding record in the federation for the past two years, having registered more than three hundred fifty voters, including disabled citizens in their homes, and having cooperated with the high school civic class and having held public meetings for discussion of ballot issues and having a record of 97 percent of their eligible members casting their ballots on election day; now, therefore, be it

Resolved by the Senate of California, That the Senate does commend and congratulate the Junior Ebell Club of Santa Paula on their demonstrated interest in civic affairs and their appreciation of the importance and necessity of the continued activity and vigilance of the citizens to maintain our free representative form of government; and be it further

Resolved, That the Secretary of the Senate is directed and authorized to prepare a suitably engrossed copy of this resolution for presentation to the Junior Ebell Club of Santa Paula by the Legislative Chairman of the California Federation of Junior Women's Clubs at their annual convention, May 9th, at San Francisco.

Resolution read, and, on motion of Senator Dilworth, adopted.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 715

Senator Crittenden moved that Senate Bill No. 715 be withdrawn from Committee on Water Resources, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 715—An act to amend Sections 11, 12, 13, and 17 of the State Water Resources Act of 1945, relating to water, prescribing powers and duties of the Water Resources Board, and providing for conferences, hearings, investigations, studies, plans, estimates, recommendations and reports concerning water problems and projects and the control, conservation, protection and utilization of water resources.

Bill read second time.

Motion to Amend

Senator Crittenden moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 25, of the printed bill, strike out "and directed".

Amendment No. 2

On page 2, line 25, of the printed bill, strike out "an investigation", and insert "investigations".

Amendment No. 3

On page 2, line 26, of the printed bill, strike out "a comprehensive".

Amendment No. 4

On page 2, line 26, of the printed bill, strike out "plan", and insert "plans".

Amendment No. 5

On page 2, line 29, of the printed bill, strike out "to".

Amendment No. 6

On page 2 of the printed bill, strike out lines 30 and 31.

Amendment No. 7

On page 2, line 32, of the printed bill, strike out "Water Code;"

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Water Resources.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 241	Assembly Bill No. 562
Assembly Bill No. 110	Assembly Bill No. 563
Assembly Bill No. 371	Assembly Bill No. 1346
Assembly Bill No. 519	Assembly Bill No. 1532

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 12; committee vote: Ayes 8; absent 4.

KEATING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Assembly Bill No. 564
Assembly Bill No. 593

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 12; committee vote: Ayes 8; absent 4.

KEATING, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Judiciary, to which were referred:

Senate Bill No. 451

Assembly Bill No. 1111

Assembly Bill No. 1411

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 12; committee vote: Ayes 8; absent 4.

KEATING, Chairman

Above reported bills ordered to second reading.

Committee on Transportation

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 712

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 10; absent 3.

McCORMACK, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1189

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 13; committee vote: Ayes 10; absent 3.

McCORMACK, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 1228

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 13; committee vote: Ayes 8; absent 5.

McCORMACK, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Transportation, to which were referred:

Senate Bill No. 756

Senate Bill No. 757

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Labor.

Committee membership 13; committee vote: Ayes 7; noes 1; absent 5.

McCORMACK, Chairman

Above reported bills re-referred to Committee on Labor.

SENATE CHAMBER, SACRAMENTO, April 28, 1947

MR. PRESIDENT: The Committee on Transportation, to which was referred:

Senate Bill No. 818

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 13; committee vote: Ayes 7; absent 6.

McCORMACK, Chairman

Above reported bill ordered to second reading.

ADJOURNMENT

At 4.30 p.m., on motion of Senator Carter, the President declared the Senate adjourned until 1.30 p.m., Wednesday, April 30, 1947.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FIFTY-FIFTH LEGISLATIVE DAY

ONE HUNDRED FIFTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Wednesday, April 30, 1947

The Senate met at 1.30 p.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:

Senator Dorsey, on motion of Senator Breed, due to illness.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Van Vliet, instructor, and the following students of the United States History and Civics classes of the Yuba City Union High School: George Rose, Donna Severtson, Clytelle Shepherd, Ray Wright, Helen Portiz, George Yoshimura, Lawrence Nakamura, Colleen McAdams, Ruby Oldham, Cula Matthews, Beverly Ryan, Truisten Scotten, Amelia Schreiner, Mary Lee Seal, Betty Seall, Eleanor Vanderford, Smothermon, John Winship, Jay Dishman, Shirley Vertrees, Judy Anderson, Mary Davenport, Jim Burrows, James Eastman, Gerald Ferguson, Frank Gilpatric, Burnis Flinn, Gerald Harter, Norman Hampton, Yvonne Haynes, Lorraine Hunter, Dorothy Hooper, Alda McCarthy, Buster Rhine, Ed Gerger,

Ray Thornsberry, Charlene Burnham, Helen Burchfield, Joan Clark, Jeanne Curry, Doyle Daniel, Norwood Gibson, Mildred Gilmore, Kiyoshi Kodani, Colletta Henson, Bob Kisse, and Ramiza Rahim.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. N. Hearne, Jr., of Ventura.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Garside and Mrs. Wallace of Oakland.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. J. R. Tonkin and Robert Tonkin of Los Gatos.

On request of Senator Tenney and Lieutenant Governor Knight, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Raymond V. Darby, Chairman, Leonard J. Roach, and Roger W. Jessup, members of the Los Angeles County Board of Supervisors.

On request of Senators Tenney and Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. James K. Reid of Long Beach.

COMMUNICATIONS

The following communication was received, read, and, ordered printed in the Journal:

THE SENATE, STATE OF MICHIGAN
LANSING, MICHIGAN, April 25, 1947

*Mr. Joseph A. Beek, Secretary of the Senate
Capitol Building, Sacramento, California*

GOOD MORNING, MR. BEEK: I have the honor to transmit herewith a copy of Senate Concurrent Resolution No. 21 which has been adopted by both houses of the Michigan Legislature.

Sincerely yours,

FRED I. CHASE

STATE OF MICHIGAN, MICHIGAN LEGISLATURE
SENATE CONCURRENT RESOLUTION No. 21

By Mr. Bates

A concurrent resolution respectfully urging Michigan Senators and Congressmen in Congress to exert all their efforts in attempting to stop or at least reduce the offering of federal aid to the several states and territories.

WHEREAS, Our sister State of Indiana has shown the courage to declare against the unsound financial practice of so-called federal aid, and the General Assembly of said state has passed a concurrent resolution calling upon its Senators and Congressmen "to vote to fetch its county courthouses and city halls back from Pennsylvania Avenue"; and

WHEREAS, The said State of Indiana has called upon the Legislatures of her sister states to join with her in appealing to Congress for a cessation of this unsound political fiscal extravagance; and

WHEREAS, When a state legislature is confronted with a federal aid law, the legislature must either comply or forfeit money which has been or will be taken from the citizens of the state in taxes, the effect being virtual compulsion; and

WHEREAS, It is obvious that unless federal aid is discontinued to all states, it will not be refused by any state; and

WHEREAS, The Members of the Senate and House of Representatives of the Michigan Legislature agree with Governor Thomas Dewey of New York when he said that, "It is a fundamental truth that when a unit of government spends money that has not been raised locally through taxes, the inevitable result is irresponsibility and waste and it is old fashioned common sense that BEST government is that which is closest to the people and their pocketbooks"; and

WHEREAS, Our Nation is financially embarrassed to the amount of one quarter of a trillion dollars and should divert so-called federal aid toward reducing its indebtedness; and

WHEREAS, Michigan and most other states are in sound financial condition, able to handle their own fiscal responsibilities; now therefore be it

Resolved by the Senate (the House of Representatives concurring). That the Michigan Legislature joins forces with our neighboring State of Indiana in denouncing this practice of so-called "matching dollars"; and be it further

Resolved, That we respectfully petition and urge Michigan Senators and Congressmen in Congress to exert all their efforts in attempting to stop or at least reduce the offering of federal aid to the several states and territories; and be it further

Resolved, That a copy of this resolution be sent to the Legislatures or Assemblies of the 48 States, and to the Michigan Senators and Congressmen in Congress.

Adopted by the Senate March 13, 1947.

Adopted by the House of Representatives April 9, 1947.

Norman E. Philles
Clerk of the House of Representatives

Fred I. Chase
Secretary of the Senate

Resolution read, and referred to Committee on Rules.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 219
Senate Bill No. 221
Senate Bill No. 244
Senate Bill No. 250
Senate Bill No. 321
Senate Bill No. 335
Senate Bill No. 338
Senate Bill No. 352

Senate Bill No. 364
Senate Bill No. 381
Senate Bill No. 469
Senate Bill No. 479
Senate Bill No. 472
Senate Bill No. 1227
Senate Bill No. 323
Senate Bill No. 993

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 40

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 320
Senate Bill No. 416
Senate Bill No. 1075

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

Above bills ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 214
Senate Bill No. 880

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 196

And reports the same correctly re-engrossed.

POWERS, Chairman

Committee on Fish and Game

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:
Assembly Bill No. 610

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 6; absent 5.

BROWN, Acting for GORDON, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which were referred:
Assembly Bill No. 615
Assembly Bill No. 18
Assembly Bill No. 790

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 6; absent 5.

BROWN, Acting for GORDON, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Fish and Game, to which was referred:
Senate Bill No. 299

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 6; noes 1; absent 4.

BROWN, Acting for GORDON, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 642

Senate Bill No. 1556

Senate Bill No. 1562

Assembly Bill No. 433

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 1248

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Military and Veterans Affairs for recommendation.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bill re-referred to Committee on Military and Veterans Affairs.

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Finance, to which were referred:

Senate Bill No. 835

Senate Bill No. 1559

Assembly Bill No. 2120

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 11.

RICH, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 302

Assembly Bill No. 303

Assembly Bill No. 516

Assembly Bill No. 791

Assembly Bill No. 792

Assembly Bill No. 1002

Assembly Bill No. 1254

Assembly Bill No. 1779

Assembly Bill No. 2066

Assembly Bill No. 2442

Assembly Bill No. 2443

Assembly Bill No. 2444

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 302—An act to amend Section 5003 of the Public Resources Code, relating to the powers and duties of the State Park Commission.

Referred to Committee on Natural Resources.

Assembly Bill No. 303—An act to amend Section 5006 and to add Section 5006.1 to the Public Resources Code, relating to the powers and duties of the State Park Commission.

Referred to Committee on Natural Resources.

Assembly Bill No. 516—An act to amend Section 1174 of the Code of Civil Procedure, relating to forcible entry and detainer.

Referred to Committee on Judiciary.

Assembly Bill No. 791—An act to repeal Sections 290 and 291 of, to amend Sections 271, 272, and 273 of, and to add Section 290 to the Fish and Game Code, relating to refugees.

Referred to Committee on Fish and Game.

Assembly Bill No. 792—An act to add Section 379.5 to the Fish and Game Code, relating to refugees and providing for the acquisition of land within this State by the United States for migratory bird reservations.

Referred to Committee on Fish and Game.

Assembly Bill No. 1002—An act to amend Section 4003 of the Political Code and Section 23004 of the Government Code, relating to powers of the board of supervisors.

Referred to Committee on Local Government.

Assembly Bill No. 1254—An act to add Section 10.1 to the Political Code, relating to holidays.

Referred to Committee on Local Government.

Assembly Bill No. 1779—An act to amend Sections 926 and 928 of, and to add Sections 914.5, 914.6, 971, and 972 to, the Health and Safety Code, relating to local health districts, providing for membership and terms of boards of trustees thereof, and retirement benefits of employees.

Referred to Committee on Local Government.

Assembly Bill No. 2066—An act to amend Section 18541 of the Government Code, relating to disabled veterans.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 2442—An act to amend Section 12421 of the Government Code, relating to official seals.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 2443—An act to amend Sections 12460 and 12461 of the Government Code, relating to financial reports of the Controller.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 2444—An act to add Section 11255 to the Government Code, relating to payments for interagency transactions.

Referred to Committee on Governmental Efficiency.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 62

Senator McBride moved that Senate Bill No. 62 be withdrawn from Committee on Public Health and Safety, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 62—An act to add Chapter 12, comprising Sections 4950.01 to 4950.50, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of naturopathy.

Bill read second time.

Motion to Amend

Senator McBride moved the adoption of the following amendments:

Amendment No. 1

On page 5, lines 11 and 12, of the printed bill, strike out "two forms of certificates", and insert "a certificate".

Amendment No. 2

On page 5, line 13, of said bill, strike out "These certificates", and insert "This certificate".

Amendment No. 3

On page 5 of said bill, strike out lines 14 to 18, inclusive, and insert "Naturopathic physician's certificate."

Amendment No. 4

On page 5 of said bill, strike out lines 32 to 38, inclusive.

Amendment No. 5

On page 8 of said bill, strike out lines 4 to 14, inclusive.

Amendment No. 6

On page 9, line 4, of said bill, strike out "Each applicant for a"; and strike out lines 5 and 6.

Amendment No. 7

On page 9, line 22, of said bill, strike out "Each", and insert "Unless otherwise provided herein, each".

Amendment No. 8

On page 9 of said bill, strike out lines 36 to 41, inclusive.

Amendment No. 9

On page 12 of said bill, strike out lines 45 and 46.

Amendment No. 10

On page 12, line 47, of said bill, strike out "(c)", and insert "(b)".

Amendment No. 11

On page 12, line 49, of said bill, strike out "(d)", and insert "(c)".

Amendment No. 12

On page 13, line 1, of said bill, strike out "(e)", and insert "(d)".

Amendment No. 13

On page 13, line 2, of said bill, strike out "(h)", and insert "(e)".

Amendment No. 14

On page 14 of said bill, after line 2, insert

"This act shall not be construed to regulate, prohibit, or apply to any kind of treatment by prayer, or to any person or persons administering the same, nor to interfere in any way with the practice of religion."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 42: By Senator Rich—Relative to postwar construction.

Request for Unanimous Consent

Senator Rich asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 42, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 42

Senate Concurrent Resolution No. 42—Relative to postwar construction.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Collier, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

Senate Bill No. 1116—An act conveying certain tidelands, lands lying under inland navigable waters, swamp and overflow lands, situate in the Old Salinas River Channel, to the Moss Landing Harbor District, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Natural Resources:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "east", and insert "northerly".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "west", and insert "southerly".

Amendment No. 3

On page 1, line 12, of the printed bill, strike out "south", and insert "west".

Amendment No. 4

On page 1, line 14, of the printed bill, strike out "northerly", and insert "easterly".

Amendment No. 5

On page 2, line 35, of the printed bill, after "land", insert "; provided, that said excepted and reserved power shall be exercised in a manner not inconsistent or incompatible with the use of said lands by grantee for purposes of commerce and navigation".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Natural Resources.

Senate Bill No. 763—An act to add Chapter 11B, comprising Sections 11518 to 11518.24, inclusive, to Part 2 of Division 2 of the Insurance Code, relating to medical and hospital service associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert

"An act to add Chapter 6A, comprising Sections 10550 to 10550.35, inclusive, to Part 2 of Division 2 of the Insurance Code, relating to health care expense contractors."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 29, inclusive; and strike out all of pages 2 and 3 of said bill, and insert

"SECTION 1. Chapter 6A, comprising Sections 10550 to 10550.35, inclusive, is added to Part 2 of Division 2 of the Insurance Code, to read:

CHAPTER 6A. HEALTH CARE EXPENSE CONTRACTORS

Article 1. Scope of Chapter

10550. This chapter is intended to afford the people of this State an additional opportunity to protect themselves against the expenses of sickness and personal injuries by contracts entered into with health care expense contractors, as hereinafter defined, and operating under the jurisdiction of the Insurance Commissioner and subject to the provisions and regulations defined in this chapter; and except as provided in Section 10550.14 to regulate such contracts and the contractors making and entering into such contracts or offering to make or enter into any such contracts, as the obligor

10550.1. Every contract, express or implied, whereby any person agrees to make payment of any or all of the health care expenses as defined in Section 10550.12 of

Article 2 of this act, for the account of another person shall be a "health care expense contractor"; and the business involving the issuance of such contracts shall be the "health care business" as defined in Section 10550.11.

10550.2. Any health care expense contractor, as defined in Section 10550.11, may enter into contracts with individuals, families, societies, associations, labor unions, employee groups or with employers for the benefit of their employees pursuant to the provisions of this act and, pursuant to the purposes of this act, shall have the right of discharging its obligations under any such contracts by payments direct to the attending doctor, hospital or other party rendering the services or by reimbursement to the members.

Article 2. Definitions

10550.11. "Health care expense contractor" as used in this chapter is any association, society or corporation engaged in the health care expense business as defined in Section 10550.12 of this chapter.

10550.12. "Health care expense business" as used in this chapter is the making and executing of contracts by which the health care expense contractors undertake to make payment on account of health care expenses as hereinafter defined in Section 10550.13, for another person contingent upon the happening of sickness or personal injury, or of reimbursing such person for any part or all of such health care expenses.

10550.13. "Health care expenses" as used in this chapter means and includes any or all of the following: Medical and surgical services, hospital care, nursing, X-ray examinations, laboratory tests, ambulance services and/or any supplemental or related service and care in the treatment and care of sicknesses or personal injuries.

10550.14. The following persons and policies or contracts issued by such persons are hereby expressly declared to be exempt from the regulations imposed by this chapter:

(1) Nonprofit corporations organized and existing under and by virtue of the provisions of Section 593a of the Civil Code.

(2) Any insurer, including a reciprocal or inter-insurance exchange, licensed to transact disability insurance in the State of California.

Article 3. Commencement of Business; Restrictions

10550.21. Before being authorized to transact a health care expense business in this State, a health care expense contractor shall have a paid-up capital of one hundred thousand dollars (\$100,000).

10550.22. A health care expense contractor subject to the regulation of this chapter shall not be permitted to transact a health care expense business in this State unless and until it shall obtain a certificate of authority from the Insurance Commissioner.

10550.23. The provisions of this code governing domestic incorporated insurers, their business, and their contracts, shall, so far as applicable and not inconsistent herewith, govern health care expense contractors subject to this chapter and their business and contracts, except that health care expense contractors, their business and contracts, shall not be subject to the provisions of Section 10176 nor the provisions of Chapter 4 of Part 2 of Division 2 of this code.

Article 4. The Contract

10550.31. No health care expense contract shall be issued or delivered to any person in this State by a health care expense contractor regulated hereunder:

(a) Unless the entire consideration therefor is expressed in the contract.

(b) Unless the times at which the contract takes effect and terminates are stated in a portion of the contract above the evidence of its execution by the insurer.

(c) Unless every printed portion and every endorsement is plainly printed in type of a size approved by the Insurance Commissioner.

(d) Unless the exceptions of the contract are printed with the same prominence as the services to which they apply.

(e) Unless there is set forth therein in full any portions of the charter, constitution, or by-laws of the health care expense contractor purported to be made a part of the contract.

10550.32. The commissioner may after notice and hearing promulgate such reasonable rules and regulations, relating to the substance, form and issuance of such contracts, as are necessary or desirable to preserve, insofar as applicable, standards as respects substance, form and issuance comparable to the standards in such respects prescribed by Chapter 4 of Part 2 of Division 2 of this code and to further the purpose or purposes of this chapter.

10550.33. No health care expense contractor shall issue or deliver in this State any health care expense contract or certificate until

(a) A copy of the form thereof and the premium rates pertaining thereto are filed with the commissioner.

(b) Either: (1) Thirty days expire without notice from the commissioner after such copy is filed, or

(2) The commissioner gives his written approval prior to that time.

10550.34. If the commissioner notifies the health care expense contractor, in writing, that the filed form does not comply with the requirements of law, specifying

the reasons for his opinion, it is unlawful thereafter for any such health care expense contractor to issue any contract in such form.

10550.35. The commissioner shall not approve any health care expense contract or certificate thereunder for issuance or delivery in this State if he finds that it contains any provision, or has any title, heading, backing or other indication of its provisions which is likely to mislead a person to whom the contract or certificate is offered, delivered or issued, nor shall any such contract or certificate be approved if it contains provisions contradictory, in whole or in part, of any of the provisions promulgated by the commissioner; provided, however, that any such contract or certificate issued in this State by a foreign health care expense contractor may contain provisions presented for insertion in such contracts or certificates by the law of the state under which the health care expense contractor is organized."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

Senate Bill No. 990—An act to add new Section 106.6, and Chapter 3 to Division 1 of the Water Code, relating to the protection of the quality of underground waters from pollution and contamination from the disposal of sewage and industrial wastes; providing for the investigation of underground water conditions by the Department of Public Works; providing remedies for the control and prevention of such pollution and contamination; providing for powers and duties of the Department of Public Works in connection therewith; making an appropriation therefor; and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

In line 18 of the title of the printed bill, as amended in the Senate on April 23, 1947, strike out "from", and insert "by".

Amendment No. 2

On page 8, lines 3 and 4, of said bill, strike out "city, county, city and county,".

Amendment No. 3

On page 9, line 2, of said bill, strike out "or by any"; and strike out line 3.

Amendment No. 4

On page 9, line 4, of said bill, strike out "threatened", and insert "threaten".

Amendment No. 5

On page 9, line 5, of said bill, strike out "sources", and insert "source".

Amendment No. 6

On page 9, line 22, of said bill, strike out the comma after "that".

Amendment No. 7

On page 9, line 24, of said bill, strike out "thereof", and insert "of such source of water supply".

Amendment No. 8

On page 9, line 28, of said bill, after "occurred", strike out the comma.

Amendment No. 9

On page 9, line 43, of said bill, strike out "Department of Public Works", and insert "department".

Amendment No. 10

On page 9, line 46, of said bill, strike out "state agency", and insert "agency, department".

Amendment No. 11

On page 10, line 1, of said bill, strike out "physical".

Amendment No. 12

On page 11, line 24, of said bill, strike out "or", and insert "and".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Public Health and Safety.

Senate Bill No. 1256—An act to amend Section 26586 of the Health and Safety Code, relating to adulterated or misbranded articles of foods.
Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health and Safety:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert "and to add Sections 26586.5 and 26589.5 to".

Amendment No. 2

On page 1, line 24, of said bill, after the period, insert "At any time prior to the date of the hearing any person in possession of said article, or owner thereof or claimant thereto, may file an answer which may include a prayer for a judgment of release of such article or relief in accordance with Sections 26588 and 26589."

Amendment No. 3

On page 1 of said bill, strike out line 25, and insert "shall commence to hear and determine said proceeding, but may, for good cause shown, continue the hearing to a day certain, provided the court shall finally determine all the issues presented by the petition and answer within 60 days after the date when the matter was first set for hearing."

Amendment No. 4

On page 1 of said bill, after line 27, insert

"SEC. 2. Section 26586.5 is added to the Health and Safety Code, to read :

26586.5. If, within 30 days after detention or quarantine of any article under this article, the board has not commenced a proceeding under Section 26586, then the person in possession of such article, or the owner thereof or any claimant thereto, may commence a proceeding in the superior court of the county or city and county in which the article is detained or quarantined, by petitioning said court for a judgment to release said article or for relief under Section 26588 and 26589. Upon the filing of such petition, the clerk of the court shall fix a time and place for the hearing thereof, and cause notices thereof to be prepared notifying all persons who may claim an interest in the article of the time and place of the hearing. A copy of the petition and notice shall be posted for 14 days in at least three public places in the town, city or county where the court is held, and in a conspicuous place where such article is detained or quarantined. A copy of the petition and notice shall also be served upon the board by serving it upon the secretary of said board. Service may be made by personal service or by registered mail addressed to the board at the office of the secretary at San Francisco, California.

At the time set for the hearing the court shall commence to hear the proceeding but may, for good cause shown, continue the hearing to a day certain provided the court shall finally determine all the issues presented in the proceeding within 60 days after the date when the matter was first set for hearing.

SEC. 3. Section 26589.5 is added to the Health and Safety Code, to read :

26589.5. If at any time after detention or quarantine, a duly authorized agent of the board finds that an article detained or quarantined is not adulterated or misbranded, such agent shall remove the tag or other marking."

Amendments read, and adopted.

Bill ordered printed, and re-referred to committee on Public Health and Safety.

Senate Bill No. 436—An act to add Section 19626.5 to the Business and Professions Code, relating to agricultural buildings for county and district agricultural association fairs and the use of such buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 2 of the title of the printed bill, after "Code," insert "and to add Article 4 to Chapter 9 of Part 2 of Division 2 of Title 3 of the Government Code,".

Amendment No. 2

On page 1 of said bill, after line 18, insert

"SEC. 2. Article 4 is added to Chapter 9, Part 2, Division 2, Title 3 of the Government Code, to read:

Article 4. County Agricultural Buildings

25950. The board of supervisors may acquire, construct and equip an agricultural building pursuant to this article and for that purpose may use all or any part of any money allocated, apportioned, or otherwise made available for the purpose by the State.

Agricultural buildings shall be used for the purposes of county or district agricultural association fairs but any part thereof not required for such purposes may, with the approval of the Department of Finance, be rented or be used to provide office space and facilities for public or private organizations connected with the agricultural industry, including but not limited to agricultural commissioners, meat inspectors, hide and brand inspectors, milk and dairy inspectors, farm advisors, agricultural extension services, 4H and Future Farmers groups, and nonprofit organizations of farmers, dairymen, cattlemen, and other persons associated with the agricultural industry."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 1188—An act to add Section 55.65 to the Alcoholic Beverage Control Act, relating to fair trade contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on April 21, 1947, following "retailers", insert "by such licensees".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 14, inclusive.

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 648—An act to add Section 21253.1 to the Government Code, relating to prior service credit to state college instructors under certain conditions, in connection with the State Employees' Retirement Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "to prior service credit", and insert "to crediting service".

Amendment No. 2

In line 4 of the title of said bill, strike out "Fund", and insert "System".

Amendment No. 3

On page 1, line 3, of said bill, strike out "In the case of any", and insert "Any".

Amendment No. 4

On page 1, line 5, of said bill, strike out "voluntarily".

Amendment No. 5

On page 1 of said bill, strike out line 9, and insert "service, and who, before January 1, 1932, or within one year thereafter, upon the".

Amendment No. 6

On page 1, line 11, of said bill, strike out "shall have"; and strike out lines 12 to 15, inclusive, and insert "is entitled to have such service as such junior college instructor prior to January 1, 1932, credited as prior service under the provisions of this part, and to have such service as such junior college instructor subsequent to January 1, 1932, and prior to his return to state service credited as current service under this part, if within one year after this section takes effect the member pays into the retirement fund the normal contributions he would have paid if he had been in state service during the period of such service as junior college instructor subsequent to January 1, 1932, based upon the salary he actually received as such junior college instructor, plus the interest which would have been credited to his account if such contributions had been made monthly during the time the service was rendered."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1174—An act to amend Sections 19484 and 19538 of, and to add Sections 19485.5 and 19597.5 to, the Business and Professions Code, relating to horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Senate on April 18, 1947, strike out "which is", and insert ", including any community chest, fund, or foundation, which is organized and".

Amendment No. 2

On page 2, line 4, of said bill, after the period, insert "A charity day licensee may be one or more than one nonprofit organization, according to the selection made by the licensee of the meeting in connection with which the charity day racing is conducted."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 702—An act to add Section 18596 to the Government Code, relating to the Chief of the State Division of Beaches and Parks.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 241—An act to amend Section 108 of the Civil Code, relating to divorce actions on grounds of insanity.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 451—An act to amend Section 629 and to add Section 629.1 to the Code of Civil Procedure, relating to verdicts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "629 and to add Section 629.1", and insert "616 of and to add Section 630".

Amendment No. 2

In line 2 of the title of said bill, after "verdicts", insert ", judgments, and retrials".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 616 of the Code of Civil Procedure is amended to read:

616. In all cases where the jury are discharged *without having rendered a verdict*, or are prevented from giving a verdict, by reason of accident or other cause, during the progress of the trial, or after the cause is submitted to them, *except as provided in Section 630*, the action may be again tried immediately, or at a future time, as the court may direct.

SEC. 2. Section 630 is added to said code, to read:

630. When a motion for a directed verdict, which should have been granted, has been denied or for any reason not granted, and the jury for any reason, has been discharged without having rendered a verdict, then within 10 days after the discharge of the jury, the court on its own motion, or, after said 10-day period, upon motion, notice of which was given within said 10-day period, may order judgment to be entered in accordance with the motion for a directed verdict. Except as otherwise provided in Section 12a of this code, the power of the court to act under the provisions of this section shall expire 30 days after the day upon which the jury was discharged, and if judgment has not been ordered within said time the effect shall be the denial of any motion for judgment without further order of the court."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 27, inclusive; and on page 2, strike out lines 1 to 38, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

Senate Bill No. 712—An act to amend Section 205 of the Streets and Highways Code, relating to apportionment of highway funds to cities, declaring the urgency hereof, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1189—An act to amend Section 142 of the Vehicle Code, relating to registration of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 142", and insert "Sections 142 and 45".

Amendment No. 2

On page 1 of said bill, strike out lines 20 to 23, inclusive, and insert "or any other vehicle which is used exclusively in the conduct of farm operations, when operated or moved upon the highway, shall be deemed to be an implement of husbandry."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 26, insert

"SEC. 2. Section 45 of said code is amended to read:

45. "Implement of Husbandry." An "implement of husbandry" is [a] any vehicle which is [designed exclusively for agricultural purposes and] used exclusively in the conduct of [agricultural] farm operations."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

Senate Bill No. 1228—An act to amend Section 820.5 of the Streets and Highways Code, relating to the performance of work for the Federal Government.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "the", preceding "authorized".

Amendment No. 2

On page 1 of said bill, strike out line 5, and insert "of street or highway construction, improvement, or maintenance projects,".

Amendment No. 3

On page 1, line 8, of said bill, after "highways," insert "including highways providing access to timber or other natural resources,".

Amendment No. 4

On page 1, line 9, of said bill, strike out "within", and insert "on".

Amendment No. 5

On page 1, line 11, of said bill, strike out "complete", and insert "full".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 818—An act to add Sections 1128, 1129, 1130, 1131, and 1132 to the Streets and Highways Code, relating to the laying out of private or by-roads.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1156—An act to amend Section 7 of the Unemployment Insurance Act, relating to excluded employment under said act.

Bill read second time.

Motion to Amend

Senator Judah moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 7 of", and insert "add Section 7.3 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 7.3 is added to the Unemployment Insurance Act to read: Sec. 7.3. The term "agricultural labor" as used in Section 7,".

Amendment No. 3

On page 1, line 26, of said bill, after "In", insert "the employ of the owner or tenant or other operator of a farm, in connection with the".

Amendment No. 4

On page 1 of said bill, strike out line 31, and insert "tions."

Amendment No. 5

On page 2 of said bill, strike out line 1.

Amendment No. 6

On page 2, line 4, of said bill, after "canning", insert ", commercial packing,".

Amendment No. 7

On page 2, line 8, of said bill, strike out "subdivision", and insert "Section".

Amendment No. 8

On page 2 of said bill, strike out lines 13 to 52, inclusive; and strike out pages 3 and 4.

Amendments read.

Motion to Re-Refer Senate Bill No. 1156

Senator Weybret moved that Senate Bill No. 1156, and the amendments offered by Senator Judah be re-referred to Committee on Social Welfare.

Motion carried.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 986—An act to add Section 1.5 to an act entitled "An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of land at Newport Beach, Orange County, as part of the State Park System," approved July 17, 1945, to extend the time during which the appropriation made thereby may be expended, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 10—An act to amend Section 5437 of the Public Resources Code, relating to qualifications of voters of county recreation districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 92—An act to amend Section 4200 of the Government Code, relating to contractor's bonds on public works.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "five hundred dollars (\$500)", and insert "one thousand dollars (\$1,000)".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 106—An act to amend Section 1001 of the Government Code, relating to civil executive officers.

Bill read second time, and ordered to third reading.

Assembly Bill No. 596—An act to amend Section 19056 of the Government Code, relating to certification from eligible lists in the state civil service.

Bill read second time, and ordered to third reading.

Assembly Bill No. 841—An act to amend Section 18594 of the Government Code, relating to the officers and employees of the Public Utilities Commission of the State of California (formerly the Railroad Commission of the State of California), exempting certain positions from the state civil service.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1019—An act to amend Section 1157 of the Government Code, relating to pay roll deductions of public employees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1327—An act amending Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1366—An act to amend Section 20016 of the Government Code, relating to members of the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1367—An act to amend Section 6050 of the Penal Code, relating to the salaries of wardens and superintendents of state correctional institutions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1402—An act to amend Section 18575 of the Government Code, relating to service by mail by the State Personnel Board.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1404—An act to add Section 18682 to the Government Code, relating to hearings by the State Personnel Board.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1450—An act to amend Section 2 and to repeal Section 3.5 of the Property Acquisition Act, relating to the acquisition by the State of real property for use in furtherance of the postwar construction program, abolishing the Property Acquisition Board and transferring its powers, duties, purposes, responsibilities, and jurisdiction to the State Public Works Board.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1707—An act to amend Section 20009.1 of the Government Code, relating to the Retirement System.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1721—An act to amend Section 17000 of the Government Code, relating to issuance of state warrants.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1722—An act to repeal Section 17001 of the Government Code, relating to issuance of state warrants.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1723—An act to repeal Section 17003 of the Government Code, relating to issuance of state warrants.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1724—An act to amend Section 17006 of the Government Code, relating to furnishing the Treasurer with a list of warrants issued.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1725—An act to add Section 17007 to the Government Code, relating to the designation by codes of funds, appropriations, revenues and accounts on the records of the Controller and Treasurer.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1726—An act to amend Sections 17030, 17031, and 17032 and repeal Sections 17033 and 17034 of the Government Code, relating to issuance of warrants.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2505—An act to amend Section 13471 of the Government Code, relating to investments of funds by the Director of Finance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 110—An act to amend Section 5065 of the Streets and Highways Code, relating to posting of notices in proceedings under the Improvement Act of 1911.

Bill read second time, and ordered to third reading.

Assembly Bill No. 371—An act to amend Section 2709 of the Penal Code, relating to products of the employment of prisoners, and authorizing sale for private use of by-products of agricultural enterprises, under rules prescribed by the Director of Finance.

Bill read second time, and ordered to third reading.

Assembly Bill No. 519—An act to amend Section 17091 of the Government Code, relating to lost or destroyed warrants.

Bill read second time, and ordered to third reading.

Assembly Bill No. 562—An act to amend Section 574 of the Welfare and Institutions Code, relating to referees in juvenile courts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 563—An act to amend Section 880 of the Welfare and Institutions Code, relating to the transfer of juvenile court cases.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1346—An act to amend Section 1 of, and to add Sections 6.5a to 6.5r, inclusive, to "An act to regulate and prevent the transportation of persons to gambling ships; to prevent the solicitation of persons to visit gambling ships and to provide penalties for such transportation or solicitation," approved May 21, 1929, relating to the definition of the term "gambling ship," declaring to be nuisances conveyances which are used in violation thereof, providing for the abatement and prevention of such nuisances by injunction and otherwise, providing for the forfeiture of such conveyances, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1532—An act to amend Sections 8, 9, and 13 of, and to add Sections 13.1, 13.2, and 18 to, Chapter 339 of the Statutes of 1923, relating to the possession, sale, and use of pistols, revolvers, and other firearms capable of being concealed upon the person, the registering of sales of such firearms, the granting of licenses or permits to carry the same concealed upon the person and to entitle said chapter "the Dangerous Weapons' Control Law."

Bill read second time, and ordered to third reading.

Assembly Bill No. 564—An act to amend Section 633 of the Welfare and Institutions Code, relating to the term of office of probation officers in counties not having charters or merit or civil service systems governing such terms.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, after "The", insert "term of office of the".

Amendment No. 2

On page 1 of said bill, strike out lines 5 and 6, and insert "be two years from the date of their appointments, or until their successors are appointed and qualify."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 593—An act to amend Section 542 of the Code of Civil Procedure, relating to the attachment of real and personal property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 4, line 41, of the printed bill, after "writ", insert ", and, if the demand as stated in the writ does not exceed three hundred dollars (\$300) exclusive of interest, attorney's fees and costs, a copy of the complaint in the action from which the writ issued,".

Amendment No. 2

On page 4, line 43, of said bill, after "and", insert "in every case,".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 1111—An act to add Section 6a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 20, 1947, strike out lines 13 to 16, inclusive; and on page 2, strike out lines 1 to 35, inclusive, and insert "may be applicable to municipal courts), five hundred twenty-five dollars (\$525);

Four deputy clerks, four hundred thirty dollars (\$430);

Four deputy clerks, three hundred sixty-five dollars (\$365);

Two deputy clerks, three hundred forty-five dollars (\$345);

Fifteen deputy clerks, three hundred thirty-five dollars (\$335);

Five deputy clerks, three hundred ten dollars (\$310);

Eight deputy clerks, two hundred ninety dollars (\$290);

Forty-six deputy clerks, each of whom shall receive a minimum salary of one hundred eighty-five dollars (\$185) monthly, with annual increments of fifteen dollars (\$15) after the first year, and ten dollars (\$10) each succeeding year, effective the first of the month following anniversary of appointment, to a maximum of two hundred thirty dollars (\$230)."

Amendment No. 2

On page 1, line 6, of said bill, strike out "eight hundred dollars (\$800)", and insert "seven hundred dollars (\$700)".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

Assembly Bill No. 1411—An act to amend Section 426 of the Code of Civil Procedure, relating to complaints.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 7, of the printed bill, after "complaint.", insert "The attachment of any such production in accordance with the provisions hereof shall not be deemed a making public of the production within the meaning of Section 983 of the Civil Code."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Judiciary.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 418—An act to add Sections 22252.1 and 22252.2 to, and to amend Section 22257 of, the Water Code, relating to

irrigation districts and the distribution of water in irrigation districts, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Senator Donnelly moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, after "directors", strike out "present".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

MOTION TO RETAIN PLACE ON FILE

Senator Hulse moved that Senate Bill No. 609 be passed on file, and retain its place on file.

Motion carried.

THIRD READING OF SENATE BILLS

Senate Bill No. 475—An act to amend Sections 16752, 16753, and 16754 of the Business and Professions Code, relating to the preservation and regulation of competition.

Motion to Refer Bill to Inactive File

Senator Ward moved that Senate Bill No. 475 be placed on the inactive file.

Motion carried.

Senate Bill No. 569—An act to provide for research by the University of California on the origin, prevention, and cure of cancer and to make an appropriation therefor, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 569:

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, April 23, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Senate Bill No. 569—"An act to provide for research by the University of California on the origin, prevention, and cure of cancer and to make an appropriation therefor."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Senate Bill No. 569 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, DeLap, Deuel, Dilinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 655—An act to amend Section 14256 of the Government Code, relating to state contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 193—An act to add Sections 261e and 261f to the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Donnelly, Hatfield, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Weybret, and Williams—29.

NOES—Senators Gordon and Watson—2.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Senate Bill No. 760—An act to amend Section 3941 of the Education Code, relating to the suspension of high school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Weybret, and Williams—33.

NOES—None.

Bill ordered transmitted to the Assembly.

President of the Senate Presiding

At 2.43 p.m., Hon. Goodwin J. Knight, President of the Senate, presiding.

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Senate Bills Nos. 277 and 278 were taken up.

Senate Bill No. 277—An act to add Section 743.7 to the Vehicle Code, relating to criminal proceedings and evidence of intoxication of drivers.

Bill read third time.

Motion to Re-Refer Senate Bills Nos. 277 and 278

Senator Swing moved that Senate Bills Nos. 277 and 278 be re-referred to Committee on Judiciary.

Motion to Amend

Senator Quinn moved to amend the motion by Senator Swing to re-refer Senate Bills Nos. 277 and 278 to Committee on Judiciary, as follows: That Senate Bills Nos. 277 and 278 be voted on separately.

Motion lost.

The question being on the motion by Senator Swing to re-refer Senate Bills Nos. 277 and 278 to the Committee on Judiciary.

Roll Call Demanded

Senators DeLap, Swing, and Hatfield demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, DeLap, Desmond, Deuel, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Sutton, Swing, Tenney, and Ward—25.

NOES—Senators Collier, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Gordon, Judah, Quinn, Slater, Watson, and Williams—12.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1097—An act to amend Sections 1 and 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 577—An act to amend Section 8361 of the Water Code, and to add Articles 4, 5, and 6 to Chapter 3 of Part 2 of Division 5 of said Water Code, all relating to the operation and maintenance of the works of the Sacramento River Flood Control Project, and other projects for which the Reclamation Board has given, or shall hereafter give assurances to the United States of state or local cooperation required by federal law; providing for the payment of the cost of maintenance by means of assessments levied upon the property benefited by the operation and maintenance of such works, prescribing the duties of the Reclamation Board, the Department of Public Works, the State Engineer, and

other public officers in connection therewith, creating certain funds in the State Treasury, and making an appropriation.

Bill read third time.

Motion to Amend

Senator Rich moved the adoption of the following amendments.

Amendment No. 1

On page 8, line 19, of the printed bill, as amended in the Senate on April 15, 1947, after "unit", strike out "and claims for each"; strike out line 20, and in line 21, strike out "the separate accounts".

Amendment No. 2

On page 8, line 22, of said bill, after "Controller", strike out "shall have no responsibility"; strike out line 23; and in line 24, strike out "accounts are concerned but".

Amendments read, and adopted.

Bill ordered printed, re-engrossed, and to third reading.

Senate Bill No. 880—An act to add Section 46.5 to the State Water Resources Act of 1945 and Sections 18 and 19 to the Flood Control Fund Act of 1946, relating to flood control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Motion to Amend Title

Senator Kraft moved the adoption of the following title amendment:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Senate on April 23, 1947, strike out "and Sections 18 and 19 to the Flood Control Fund Act of 1946".

Amendment read, and adopted.

Senate Bill No. 880 ordered printed, and transmitted to the Assembly.

Senate Bill No. 214—An act to amend Sections 23600, 23603, 23626, 23673, 23875, 23981, 24528, and 24529 of, and to add Sections 23674, 23878, and 23879 to, the Water Code, relating to improvement districts in irrigation districts, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Kraft, Mayo, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen,

Judah, Kraft, Mayo, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 411—An act to amend Section 973 of the Labor Code, relating to solicitations for employment.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Parkman, Powers, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1328—An act to amend Sections 39, 41, 53, 54, and 57 and to add Section 39.1 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 115—An act to repeal Sections 205 and 206 of, amend Sections 404, 451, 455, and 460 of, and to add Sections 205, 309, 403.1, and 455.7 to, the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, and Ward—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1446—An act to amend Section 11535 of the Business and Professions Code, relating to the regulation of real estate subdivisions, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Kraft.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, Mayo,

McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 755—An act to amend Section 4243 of the Political Code and Section 28114 of the Government Code, relating to compensation for public services in counties of the fourteenth class.

Bill read third time, and presented by Senator Dilworth.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1088—An act adding Section 9.8 to an act entitled "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and county fire protection district officers and employees, namely county foresters, firewardens and county fire protection district firemen as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 19, 1939, Statutes 1939, Chapter 174, Sections 9.3, 9.4, and 9.8 to the County Peace Officers' Retirement Law, and Sections 31904.5, 31985, 32038, and 32338 to the Government Code, and relating to retirement.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 189—An act to amend Section 4300h of the Political Code and Section 27471 of the Government Code, relating to coroners' fees.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Weybret—31.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1010—An act to add Section 14772.1 to the Education Code, relating to joint school district retirement plans, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Breed.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, O'Gara, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—30.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1889—An act to add Section 1622.5 to the Welfare and Institutions Code, relating to child care, and boarding homes for children.

Bill read third time, and presented by Senator O'Gara.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2463—An act to repeal certain temporary provisions specified in this act relating to elections, including provisions relating to war voters, absent voting, and the times for elections, meetings of political parties, and filing of election documents.

Bill read third time, and presented by Senator DeLap.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Cunningham, DeLap, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Mayo, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Secretary J. A. Beek at the Desk

Assembly Bill No. 736—An act to amend Sections 2897 and 2898 of the Elections Code, relating to death of candidate before an election.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Busch, Collier, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Salsman, Slater, Sutton, Tenney, Watson, and Williams—22.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 854—An act to amend Section 678 of the Elections Code, relating to precinct boards.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Salsman, Slater, Sutton, Tenney, Ward, and Weybret—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 856—An act to amend Section 3043 of the Elections Code, relating to nomination papers.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Jespersen, Judah, Keating, Kraft, Mayo, McCormack, O'Gara, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, and Weybret—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 988—An act to amend Section 43 of, and to add Section 658.5 to, the Elections Code, relating to precinct boards and substitutive canvassing and counting boards.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Deuel, Dillinger, Gordon, Jespersen, Keating, Mayo, McCormack, O'Gara, Powers, Salsman, Slater, Sutton, Tenney, Ward, Watson, and Weybret—23.

NOES—Senators Dilworth, Donnelly, and Judah—3.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2467—An act to provide for works for development and protection of the beach at Ocean Beach and providing for the continued availability therefor of funds presently available under agreement pursuant to Chapter 942, Statutes of 1941.

Bill read third time.

Motion to Amend

Senator Kraft moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Assembly on March 21, 1947, strike out "The money appropriated by this section", and insert "Those funds".

Amendment read, and adopted.

Bill ordered printed, and to third reading.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1536

Senator McCormack moved that Senate Bill No. 1536 be withdrawn from Committee on Transportation, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1536—An act to renumber Section 370 as Section 360, to amend and renumber Sections 371 and 371.5 as Sections 361 and 361.5 of, to add chapter headings for Chapters 1 and 3 of Division 6 of, to add Chapter 2, comprising Sections 365 to 371.9 to Division 6 of, and to repeal Section 372 of, the Vehicle Code, imposing a tax upon commercial vehicles for the privilege of operation upon the public highways.

Bill read third time.

Motion to Amend

Senator McCormack moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1 to 5, inclusive, of the title of the printed bill, and insert "An act to amend Sections 372 and 779 of the".

Amendment No. 2

In line 7 of the title of said bill, following "highways", and preceding the period, insert "and providing for the distribution of the proceeds thereof".

PRINTER'S NOTE -There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 23, inclusive; strike out pages 2 to 6, inclusive; and on page 7, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 372 of the Vehicle Code is amended to read:

372. Weight Fees for Commercial Vehicles. (a) In addition to the registration fee specified in Section 370, there shall be paid fees as set forth in this section for the registration of every vehicle of a type subject to registration used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property.

(b) For any electric vehicle designed, used or maintained as described in subdivision (a) hereof fees shall be paid for registration according to the following schedule:

Unladen Weight	Fee
(1) Less than 6,000 pounds-----	\$(28.25) 36.00
(2) 6,000 pounds or more but less than 10,000 pounds-----	\$(50.00) 72.00
(3) 10,000 pounds or more-----	\$(80.00) 96.00

(c) For any motor vehicle having not more than two axles and designed, used or maintained as described in subdivision (a) hereof, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

[Weight	Fee
(1) When unladen, 3,000 pounds or more, but less than 6,000 pounds and if not used primarily on the premises of the owner-----	\$8.00
(2) When unladen, 3,400 pounds or more, but less than 6,000 pounds and if used primarily on the premises of the owner-----	\$8.00
(3) When unladen, 6,000 pounds or more but less than 10,000 pounds and equipped with not more than two axles-----	\$40.00
(4) When unladen, 10,000 pounds or more and equipped with not more two axles-----	\$50.00
(5) When unladen, 6,000 pounds or more and equipped with three or more axles-----	\$70.00]

	Unladen Weight	Fee
(1)	3,000 lbs. to and including 4,000 lbs.	\$10.00
(2)	4,001 lbs. to and including 5,000 lbs.	20.00
(3)	5,001 lbs. to and including 6,000 lbs.	30.00
(4)	6,001 lbs. to and including 7,000 lbs.	40.00
(5)	7,001 lbs. to and including 8,000 lbs.	50.00
(6)	8,001 lbs. to and including 9,000 lbs.	60.00
(7)	9,001 lbs. to and including 10,000 lbs.	70.00
(8)	10,001 lbs. to and including 11,000 lbs.	80.00
(9)	11,001 lbs. to and including 12,000 lbs.	90.00
(10)	12,001 lbs. to and including 13,000 lbs.	100.00
(11)	13,001 lbs. to and including 14,000 lbs.	110.00
(12)	14,001 lbs. and over	120.00

(d) For any motor vehicle having three or more axles or for any trailer or semi-trailer designed, used or maintained as described in subdivision (a) hereof other than an electric vehicle, fees shall be paid for registration according to the following schedule:

	Unladen Weight	Fee
(1)	2,000 lbs. to and including 3,000 lbs.	\$8.00
(2)	3,001 lbs. to and including 4,000 lbs.	15.00
(3)	4,001 lbs. to and including 5,000 lbs.	30.00
(4)	5,001 lbs. to and including 6,000 lbs.	45.00
(5)	6,001 lbs. to and including 7,000 lbs.	60.00
(6)	7,001 lbs. to and including 8,000 lbs.	75.00
(7)	8,001 lbs. to and including 9,000 lbs.	90.00
(8)	9,001 lbs. to and including 10,000 lbs.	105.00
(9)	10,001 lbs. to and including 11,000 lbs.	120.00
(10)	11,001 lbs. to and including 12,000 lbs.	135.00
(11)	12,001 lbs. to and including 13,000 lbs.	150.00
(12)	13,001 lbs. to and including 14,000 lbs.	165.00
(13)	14,001 lbs. to and including 15,000 lbs.	180.00
(14)	15,001 lbs. and over	200.00

SEC. 2. Section 779 of the Vehicle Code is amended to read:

779. Apportionment to Counties. (a) [Thirty-one and three-fourths percent (31 $\frac{3}{4}$)] Five million four hundred thousand dollars (\$5,400,000) of the moneys received and reported as registration and weight fees and penalties thereon and fees for special plates in the Motor Vehicle Fund is hereby *annually* appropriated and shall be paid to the counties of this State and the State Controller shall in the months of February and August of each year draw his warrants upon said Motor Vehicle Fund in favor of the county treasurer of each county for the amount to which each said county is entitled hereunder. Said payments shall be made to the counties in proportion to the number of fee-paid vehicles registered in such counties as determined by the places of residence of the owners to whom the registration cards are issued.

The department shall, when requested by the State Controller, furnish to him a verified statement showing the number of such fee-paid vehicles registered in each county according to the records of the department for the use of the State Controller in making the apportionments provided for herein.

The base sum of five million four hundred thousand dollars (\$5,400,000) per year shall be increased or decreased for each fiscal year in the ratio that the total number of motor vehicles registered in this State for the preceding calendar year bears to the total number of motor vehicles registered in this State for the calendar year 1946.

(b) In the event the actual domicile, residence or place of abode of an owner of any vehicle registered hereunder is in a county other than the county which the owner has designated as his place of residence in his application for registration and as shown by the records of the department, then the county auditor of the county receiving such funds from the State as hereinabove provided may draw his warrant in favor of the county wherein is located the actual domicile, residence or place of abode of such owner. Such warrant when so drawn shall be in such total sum as to cover all such vehicles as may properly be attributed to the latter county hereunder in order to secure payment to each county of sums in proportion to registration of vehicles therein according to the actual residences of the owners thereof."

Amendment No. 4

On page 7, line 9, of said bill, strike out "10", and insert "3".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Transportation.

WITHDRAWAL AND RE-REFERENCE OF SENATE BILL NO. 620

Senator Cunningham moved that Senate Bill No. 620 be withdrawn from Committee on Local Government, and referred to Committee on Judiciary.

Motion carried.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 577

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Financial Institutions

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Financial Institutions, to which was referred:

Senate Bill No. 671

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

McBRIDE, Chairman

Above reported bill ordered to second reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Rules, to which was referred:

Assembly Joint Resolution No. 37

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

POWERS, Chairman

Above reported resolution ordered to third reading.

Committee on Agriculture

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 1107

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 9; absent 2.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:

Senate Bill No. 1394

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 9; absent 2.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:
Senate Joint Resolution No. 11

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 9; absent 2.

CRITTENDEN, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Agriculture, to which was referred:
Assembly Bill No. 1133

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; noes 1; absent 2.

CRITTENDEN, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Assembly Bill No. 369

Assembly Bill No. 1132

Assembly Bill No. 1127

Assembly Bill No. 1135

Assembly Bill No. 1129

Assembly Bill No. 1376

Assembly Bill No. 1130

Assembly Bill No. 1626

Assembly Bill No. 1131

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 322

Senate Bill No. 406

Senate Bill No. 743

Senate Bill No. 426

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 9; absent 2.

CRITTENDEN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Agriculture, to which were referred:

Senate Bill No. 879

Senate Bill No. 1361

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 9; absent 2.

CRITTENDEN, Chairman

Above reported bills re-referred to Committee on Finance.

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 949

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 11.

SWING, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 1357

Senate Bill No. 1353

Senate Bill No. 279

Senate Constitutional Amendment No. 14

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 8; absent 3.

QUINN, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, April 29, 1947

MR. PRESIDENT: The Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 1122

Senate Bill No. 1123

Senate Bill No. 1124

Senate Bill No. 1364

Senate Bill No. 13

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 8; absent 3.

QUINN, Chairman

Above reported bills ordered to second reading.

ADJOURNMENT

At 4.49 p.m., on motion of Senator Powers, the President declared the Senate adjourned until 1.30 p.m., Thursday, May 1, 1947.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FIFTY-SIXTH LEGISLATIVE DAY

ONE HUNDRED SIXTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Thursday, May 1, 1947

The Senate met at 1.30 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jaspersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Swing, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Van Vliet and Mr. K. M. Reinertson, instructors, and the following students of the Yuba City Union High School: Inez Albright, Joe Alves, Elizabeth Benner, Barbara Bigelow, Betty Close, Barbara Clark, Joyce Coats, Everett Curriet, Patricia Dyer, Harriet Fogarty, Janet Frye, Zondra Gilman, Leland Hall, Thelma Hammons, Bill Hayter, Nordstrom Johnston, June Jones, James Granneman, Elmo Hubbard, Hugh Love, Anna Matsumura, Phyllis Nealon, Barbara Parkinson, Woodrow Simpson, Doris Wanek, Leonard Williams, Elmer Kitagawa, Eugene Salca, Bill Caldwell, Stella Ardave, Gerald Burgin, Lee Crum, Carroll England,

Gayle Hardy, Sam Hasegawa, Don Jommen, Alice Komatsubara, Rosemary Mayfield, Corinne Miller, James Morris, Phyllis Nutt, Nazira Rahim, Richard Rice, Darell Gordon, Beverly Kirk, Gwen Lepik, Jim Martindale, Fred Meinking, Don Mosher, Joann Ottney, Jim Randolph, Bonnie Runge, Tom Sasaki, Shirley Seagren, Jim Tull, Jewel Wales, Hal Wisner, Don Martinez, Adelle Dodson, Kiyoshi Hasegawa, Roy Lytele, Edwin Moore, Leonard Newton, Warren Salsa, Norma Stanley, Bob Williams, Don Snyder, Charles Berry, Madge Calvin, Marie Dedker, Jesse Fairry, June Harris, Myrletta Helwig, Dorothy King, Fay Matthews, Ed Merrill, James Morgan, Soapy Naruto, Pat Olen and Walt Sowles.

On request of Senator Salsman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. David McKay, Director of Adult Education, and the following members of the Naturalization Class of the Adult Education Center of San Jose: Mary S. Cancelli, Mary Cancelli, Ethel Clipper, Alice Hunnicutt, Teresa Arena, Frances Burriesci, Jasmine Carriere, Mary Campanella, Rosario Cancelli, Frances Cracolice, Rose Gullo, Lena Laetagniola, Mary Lima, Ana Giuffreda, Angela Maggi, Frances Marino, Adeline Maltese, Rose Moreci, Nancy Seimeca, Ermelina Rotondo, Mary Jardin, Julia Cirincione, Josephine Cancelli, Martha Martin, Cecilia Licursi, Louise Moro, Antonette Bedame, Mrs. W. L. Dreyer, Jane Heywood, Mary Calotta, Frances Adame, Rose Bisceglia, Rose Leibfritz, Marie Roques, Annie Matulich, Antonette Adame, Jennie Aiello, Rose Testa, Angeline Apra, Frances Kilpatrick, Josephine Vicari, and Rosa Burriesci.

On request of Senators O'Gara, Tenney, and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Neil Petree, General Manager of the Los Angeles Chamber of Commerce; Mr. Asa Call, President, State Chamber of Commerce of Los Angeles; Mr. Edward L. Turkington, of San Francisco, and Dr. W. B. Harms, President, California State Automobile Association.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bernice Harris of North Hollywood, and Mrs. James K. Reid of Long Beach.

On request of Senator O'Gara, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Helen J. Mad-dex and Miss Eileen Eckstrom of San Francisco.

On request of Senator Powers, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. F. E. Dahn, former Minute Clerk of the Senate.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 594

Senator Quinn moved that Senate Bill No. 594 be withdrawn from Committee on Education, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 594—An act making an appropriation for construction and improvements at Humboldt State College.

Bill read second time.

Motion to Amend

Senator Quinn moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "construction and improvements", and insert "the establishment of a Department of Wildlife and Marine Biology".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "two million two hundred fifty thousand dollars (\$2,250,000)", and insert "eight hundred sixty-four thousand dollars and twenty-six cents (\$864,000.26)".

Amendment No. 3

On page 1 of said bill, strike out lines 4 and 5, and insert "expended for the establishment and support of a Department of Wildlife and Marine Biology, including the acquisition of necessary lands, buildings, and equipment and for construction and".

Amendment No. 4

On page 1, line 6, of said bill, after "improvements", insert "incidental thereto".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Education.

Motion to Print With Rush Order

Senator Quinn moved that Senate Bill No. 594 be sent to print with a rush order.

Motion carried.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 78

Senator Tenney moved that Senate Bill No. 78 be withdrawn from Committee on Business and Professions, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 78—An act to amend Sections 9540, 9541, and 9555 and to repeal Section 9542 of the Business and Professions Code, and to add a new Article 4.5, consisting of Sections 9556 to 9559.6, inclusive, to Chapter 18, Division 3, of said code, providing for the assignment of identification marks by the Chief of the Bureau of Criminal Identification and Investigation and for a method of marking articles accepted for cleaning, dyeing, steam cleaning, spotting, sponging, or pressing, to facilitate the identification of such articles by law enforcement agencies and providing that such act shall be known as the "Cleaners and Dyers Act" and further providing penalties for the violations thereof.

Bill read second time.

Motion to Amend

Senator Tenney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 21, 1947, strike out "9541 and 9555", and insert "and 9541".

Amendment No. 2

In line 13 of the title of said bill, strike out "Cleaners and Dyers", and insert "Dry Cleaners".

Amendment No. 3

On page 1, line 4, of said bill, after "ing establishment", insert "a dyeing plant".

Amendment No. 4

On page 2, lines 22 and 23, of said bill, strike out "at the expiration of 45 days".

Amendment No. 5

On page 2, line 24, of said bill, after "examination", strike out the period, and insert "upon filing a new application and payment of the prescribed fee."

Amendment No. 6

On page 2 of said bill, strike out lines 37 to 45, inclusive.

Amendment No. 7

On page 2, line 46, of said bill, strike out "SEC. 5", and insert "SEC. 4."

Amendment No. 8

On page 4, line 46, of said bill, strike out "Cleaners and Dyers", and insert "Dry Cleaners".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Business and Professions.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 115

Assembly Bill No. 1328

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 846

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 241

Senate Bill No. 702

Senate Bill No. 712

Senate Bill No. 818

Senate Concurrent Resolution No. 41

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 116—An act to amend Section 2152 of the Revenue and Taxation Code, relating to determination of the property tax;

Senate Bill No. 117—An act to amend Section 4105 of the Political Code and Section 29821 of the Government Code, relating to registered warrants;

Senate Bill No. 118—An act to amend Section 4041.2 of the Political Code, and Section 25252 of the Government Code, relating to county funds;

Senate Bill No. 193—An act to add Section 19 to the Welfare and Institutions Code, declaring the legislative intent in respect to the purposes of the Welfare and Institutions Code;

Senate Bill No. 205—An act to amend Section 1100 of and to add Section 1596.5 to the Insurance Code, relating to insurance and the investments and assets of insurers;

Senate Bill No. 224—An act to amend Section 2 of the Corporate Securities Act, relating to exemptions;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1947, at 2 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 311—An act to amend Section 4241 of the Political Code, and Section 28112 of the Government Code, relating to compensation for public service in counties of the twelfth class;

Senate Bill No. 318—An act to amend Section 13373 of the Government Code, relating to the Purchasing Revolving Fund;

Senate Bill No. 384—An act to amend Section 4267 of the Political Code and Section 28138 of the Government Code, relating to compensation for public services in counties of the thirty-eighth class;

Senate Bill No. 396—An act to amend Section 407 of the Fish and Game Code, relating to licenses;

Senate Bill No. 504—An act to amend Section 4284 of the Political Code and Section 28155 of the Government Code, relating to compensation for public services in counties;

Senate Bill No. 604—An act to amend Section 25 of the Storm Water District Act of 1909, relating to expenses of maintaining and repairing storm-water district improvements;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1947, at 2 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 652—An act to amend Section 1194.8 of the Insurance Code, relating to excess funds investments of incorporated insurers;

Senate Bill No. 667—An act to add Section 10203.7 to the Insurance Code, relating to group life insurance;

Senate Bill No. 1131—An act to add Section 211.5 to the Agricultural Code, relating to the powers of the Director of Agriculture with respect to coordination of livestock sanitary services, declaring the urgency thereof, to take effect immediately;

Senate Bill No. 1298—An act to add Section 18 to the County Water Works District Act, relating to the government of county water works districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1947, at 2 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 2—An act to add Section 66i to the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of San Joaquin, and providing for the appointment of an additional judge and for his compensation;

Senate Bill No. 112—An act to amend Section 204a of the Code of Civil Procedure, relating to the appointment of jury commissioners;

Senate Bill No. 113—An act to add Section 4824.5 to the Revenue and Taxation Code, relating to correction of errors on the delinquent roll;

Senate Bill No. 386—An act to amend Section 4268 of the Political Code and Section 28139 of the Government Code, relating to compensation for public services in counties of the thirty-ninth class;

Senate Bill No. 449—An act to amend Section 1019 of the Fish and Game Code, relating to expenditure of revenues;

Senate Bill No. 605—An act to add Section 4436 to the Public Resources Code, and to repeal Chapter 1496 of the Statutes of 1945, relating to forestry, providing for the development and maintenance of the Mountain Home Tract Forest;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1947, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 617—An act to repeal Section 152 of the Fish and Game Code, relating to refugees;

Senate Bill No. 660—An act to amend Section 6 of an act entitled "An act to promote the welfare of the poultry industry of the State of California; to encourage

the breeding of poultry stock through public testing and demonstration of the results of superior breeding, and to make an appropriation," approved July 22, 1939, relating to the Poultry Improvement Commission;

Senate Bill No. 789—An act to repeal Sections 134 and 135 of the Fish and Game Code, relating to game refuges;

Senate Bill No. 792—An act to amend Section 522.5 of the Fish and Game Code, relating to the construction of additional structures on dams to provide free passage of fish, and providing for the liability of the State for damages resulting from such construction;

Senate Bill No. 1129—An act authorizing the Director of Natural Resources, with the approval of the State Park Commission, to exchange certain lands in the County of Santa Cruz, State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1947, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1155—An act relating to the disposition of moneys received by the State Controller as restitutions from former recipients of unemployment relief under the California Unemployment Relief Act of 1935, abolishing the State Controller SRA Restitutions Fund and transferring the balance therein to the General Fund, and repealing an act entitled "An act creating a special fund in the State Treasury for the deposit of restitutions received by the State from former recipients of relief under the provisions of the 'California Unemployment Relief Act of 1935,' making a transfer of funds to this fund, making an appropriation to the State Controller for continued collection of restitutions, to take effect immediately," approved January 31, 1943;

And reports that the same has been correctly enrolled, and presented to the Governor on the first day of May, 1947, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 34—Relative to a study and survey of motor vehicle traffic over the Benicia-Martinez Ferry;

Senate Concurrent Resolution No. 35—Relative to approving certain amendments to the charter of the City of San Luis Obispo, a municipal corporation in the County of San Luis Obispo, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the seventh day of April, 1947;

Senate Concurrent Resolution No. 36—Relative to urging participation in World Trade Week;

Senate Concurrent Resolution No. 38—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal general election held therein on the fifteenth day of April, 1947;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the first day of May, 1947, at 10 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 648

Senate Bill No. 1174

Senate Bill No. 1188

Senate Bill No. 1228

Senate Concurrent Resolution No. 42

Senate Joint Resolution No. 11

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 880

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 297—An act relating to the marketing of farm products and to provide for the regulation of the unloading and handling thereof when delivered to markets;

Senate Bill No. 357—An act to amend Section 10203.6 of the Insurance Code, relating to insurance;

Senate Bill No. 387—An act to amend Section 307 of the Agricultural Code, relating to meat;

Senate Bill No. 445—An act to amend Section 1015 of the Fish and Game Code, relating to privilege taxes;

Senate Bill No. 466—An act to amend Section 274 of the Code of Civil Procedure, relating to phonographic reporters;

Senate Bill No. 637—An act to amend Section 18554 of the Revenue and Taxation Code, relating to the personal income tax, including the payment thereof;

Senate Bill No. 647—An act to amend Sections 20921 and 20922 of the Government Code, relating to crediting members with state service for time employed in federal service, under certain conditions, in connection with the State Employees' Retirement System;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1947, at 11 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 913—An act to amend Section 30204 and to add Sections 30204.1, 30204.2, 30204.3, 30204.4, 30204.5, and 30357 to the Streets and Highways Code, relating to additional toll bridges and other toll highway crossings;

Senate Bill No. 917—An act to amend Sections 30605 and 30606 of and to add Section 30608 to the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge;

Senate Bill No. 977—An act to add Division 17, comprising Sections 30000 to 30873, inclusive, and Sections 50009, 50010, 50011, and 50012 to the Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, including the law relating to toll bridges, toll ferries and toll roads, and to repeal certain acts and parts of acts specified herein;

Senate Bill No. 1036—An act to amend Section 947 of the Fish and Game Code, relating to nets;

Senate Bill No. 1090—An act to amend Section 20105 of the Government Code, pertaining to the administration of the State Employees' Retirement System;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1947, at 11 a.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 1128—An act authorizing the Director of Natural Resources, with the approval of the State Park Commission, to convey by quitclaim deed to Central Pacific Railway Company, a corporation, a certain parcel of land in Castle Crag State Park, County of Shasta, State of California, in exchange for a quitclaim deed from said railway company to the State of a certain parcel of land in the County of Sonoma, State of California;

And reports that the same has been correctly enrolled, and presented to the Governor on the first day of May, 1947, at 11 a.m.

POWERS, Chairman

Committee on Social Welfare

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Senate Bill No. 964

Senate Bill No. 967

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 10; committee vote: Ayes 6; noes 2; absent 2.

DILLINGER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Assembly Bill No. 1445

Assembly Bill No. 360

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 10; committee vote: Ayes 8; absent 2.

DILLINGER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Social Welfare, to which were referred:

Senate Bill No. 493

Senate Bill No. 1112

Senate Bill No. 753

Assembly Bill No. 1520

Senate Bill No. 1111

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 10; committee vote: Ayes 8; absent 2.

DILLINGER, Chairman

Above reported bills ordered to second reading.

Committee on Labor

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Labor, to which was referred:

Senate Bill No. 930

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 7; committee vote: Ayes 4; noes 3.

JUDAH, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Labor, to which were referred:

Assembly Bill No. 390

Assembly Bill No. 964

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 7.

JUDAH, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Labor, to which was referred:

Assembly Bill No. 500

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 5; absent 2.

JUDAH, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****Consideration of Assembly Amendments**

Senate Bill No. 114—An act to amend Section 2.6 of the Planning Act, and to amend Section 16 of the Conservation and Planning Act, relating to compensation of members of the commission.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 114?

Amendment No. 1

On page 1, line 10, of the printed bill, after "city", insert "or of the county".

Amendment No. 2

In line 1 of the title of the printed bill, after "Planning Act," insert "and to amend Section 16 of the Conservation and Planning Act".

Amendment No. 3

On page 1, line 11, of said bill, after "meeting", insert "nor fifty dollars (\$50) in any calendar month".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 22, insert

"SEC. 2. Section 16 of the Conservation and Planning Act is amended to read:

Sec. 16. Any appointee member of a planning commission may be removed by the appointing official, at his pleasure, but each removal in the case of the planning commission of a city or a county shall be subject to approval of the legislative body. *However, by a majority vote of the legislative body, any appointed member may be removed.* All members of the commission [shall serve as such without compensation, except] *may receive compensation for their attendance at each meeting in a sum to be fixed by the legislative body or governing body of the city or of the county by which they are appointed and not to exceed ten dollars (\$10) per meeting nor fifty dollars (\$50) in any calendar month in addition to reasonable traveling expenses to and from their usual place of business to the place of meeting of the commission.*

SEC. 3. Section 2 of this act becomes operative only if the Conservation and Planning Act is enacted by the Legislature at its Fifty-seventh Regular Session, and in such case at the same time as said Conservation and Planning Act takes effect; at which time, Section 2.6 of the Planning Act is hereby repealed."

The roll was called, and the Senate concurred in Assembly amendments to Senate Bill No. 114 by the following vote:

AYES—Senators Brown, Burns, Busch, Collier, Cunningham, DeLap, Desmond, Dillinger, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Quinn, Rich, Slater, Sutton, Tenney, Ward, Watson, and Williams—27.

NOES—None.

Above bill ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 416—An act to amend Sections 120, 152, 311, 315, 340, 350, 381, 440, 460, 502, 561, 583, 584, 820, 900, 901, 951, 952, 953, 954, 960, 1121, 1130, 1133, 1134, 1135, 1152, 1153, 1171, 1201, 1210, 1221, 1411, 1421, 1422, 1425, 1481, 1524, 1525, 1621, 1631, 1633, 1720, 1731, 1751, 1753, 1760, 1770, 1771, 1800, 1910, 2000, 2002, and 2005 of the Municipal Utility District Act, to repeal Sections 154, 317, 1211, 1212, 1213, 1220, 1222 thereof, to repeal Article 2, Chapter 4, Part 3, comprising Section 470 thereof, to repeal Chapter 5, Part 6, comprising Sections 1500 to 1507, inclusive, thereof, and add a new Chapter 5, Part 6, comprising Sections 1500 to 1504, inclusive, thereto, and to add Sections 17, 26, 27, 28, 604, 950.5, 950.6, 1202, 1203, 1441, and 1772 thereto, relating to municipal utility districts.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 416?

Amendment No. 1

On page 4, line 28, of the printed bill, strike out "three thousand dollars (\$3,000)", and insert "two thousand dollars (\$2,000)".

The roll was called, and the Senate refused to concur in Assembly amendment to Senate Bill No. 416 by the following vote:

AYES—Senator Donnelly—1.

NOES—Senators Brown, Burns, Busch, Collier, Cunningham, DeLap, Desmond, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Mayo, McBride, O'Gara, Parkman, Rich, Slater, Sutton, Tenney, Ward, Watson, and Williams—24.

Appointment of Committee on Conference

MR. PRESIDENT: Your Committee on Rules announces the appointment of Senators Breed, Kraft, and DeLap as a Senate Committee on Conference concerning Senate Bill No. 416 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES

POWERS, Chairman

Consideration of Assembly Amendments

Senate Bill No. 320—An act to amend Section 12465 of the Government Code, relating to the destruction of records in the custody of the Controller.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Bill No. 320?

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "a list", and insert "the amount".

The roll was called, and the Senate concurred in Assembly amendment to Senate Bill No. 320 by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Mayo, O'Gara, Parkman, Rich, Slater, Sutton, Tenney, Ward, Watson, and Williams—25.

NOES—None.

Above bill ordered enrolled.

SECOND READING OF SENATE BILLS

Senate Bill No. 299—An act to add Sections 498, 499, 500, 501, 502, 503, 504, 505, 506 to Article 1, Chapter 1, Part 2, Division 4, of the Fish and Game Code, relating to farm fish ponds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in the Senate on April 10, 1947, after "registrant", insert "or his invitee".

Amendment No. 2

On page 2 of said bill, between lines 18 and 19, insert

"The provisions of Sections 1038 to 1043, inclusive, shall apply to fish taken from farm ponds when transported or sold and for the purposes of this incorporation a registrant shall be deemed to be a licensee or permittee under said sections but shall not be required to pay the license or permit fee required by the article in which said sections appear."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 642—An act to authorize the Director of Finance to sell and convey certain real property and making an appropriation of a portion of the proceeds thereof.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1562—An act making an appropriation to provide for participation by the State of California in public celebrations and exhibits to be held throughout the State during 1948, 1949, and 1950 commemorating significant events in the history of the State, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1556—An act to make an appropriation to the Agricultural Research Study Committee, to take effect immediately.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 835—An act to add Sections 203, 204, 205, and 206 to the Education Code, all relating to the California State Educational Agency for Surplus Property, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Senate on April 3, 1947, after "agency", insert "for charges billed on or after July 1, 1947".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1559—An act to provide for the participation by the State of California in public centennial celebrations to be held at the City of Benicia, creating a commission therefor and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance:

Amendment No. 1

On page 2, line 28, of the printed bill, strike out "ten thousand dollars (\$10,000)", and insert "eight thousand dollars (\$8,000)".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 671—An act to amend Section 1673 of the Insurance Code, relating to the qualifications of nonresident insurance brokers and the powers of the Insurance Commissioner.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Financial Institutions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1673", and insert "Sections 1673 and 1678".

Amendment No. 2

Strike out lines 2 and 3 of the title of the printed bill, and insert "to insurance."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, immediately following line 18, insert

"SEC. 2. Section 1678 of said code is amended to read:

1678. The commissioner shall require in advance the following fees:

(a) For filing the application for each license of an individual insurance broker, ten dollars (\$10).

(b) For filing the application for each license of an individual agent or solicitor, four dollars (\$4).

(c) For giving to any person the qualifying examination for a license under this article, five dollars (\$5).

[(d)] For filing the application for a license of a nonresident broker, one hundred dollars (\$100).]

[(e)] [(d)] For filing the application for each license of a copartnership, association, or [domestic] corporation as an insurance broker, ten dollars (\$10) for each person named therein to exercise the brokership powers.

[(f)] [(e)] For filing the application for each license of a copartnership, association, or [domestic] corporation as an insurance agent, four dollars (\$4) for each person named therein to exercise the agency powers.

[(g)] [(f)] For filing the first amendment to an application or for filing the first amended application, one dollar (\$1).

[(h)] [(g)] For filing the application for an endorsement adding to the persons named in a license as entitled to exercise agency powers, four dollars (\$4) for each name so added.

[(i)] [(h)] For filing the application for an endorsement removing from any license the name of any person theretofore designated as entitled to exercise agency or brokership powers, one dollar (\$1).

[(j)] [(i)] For filing the application for an endorsement adding to the persons named in a license as entitled to exercise brokership powers, ten dollars (\$10) for each name so added.

[(k)] [(j)] For filing the application for a certificate of convenience, the same fee as for filing the application for a license to act in the same capacity.

[(l)] For filing the application for each license of a foreign corporation as an insurance agent, fifty dollars (\$50) plus four dollars (\$4) for each person named therein to exercise the agency powers.

(m) For filing the application for each license of a foreign corporation as an insurance broker, fifty dollars (\$50) plus ten dollars (\$10) for each person named therein to exercise the brokership powers.

(n) [(k)] For filing each annual notice of intention to keep a license in force, a fee in the same amount as that hereinabove specified for filing the application for that license."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1107—An act to amend Section 736 of the Agricultural Code, relating to consolidation of marketing areas.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 25, of the printed bill, as amended in the Senate on April 24, 1947, strike out "supplying", and insert "present who supply".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1394—An act to amend Section 796.1 of the Agricultural Code, relating to citrus fruits.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on April 24, 1947, strike out "lidded".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Agriculture.

Senate Bill No. 322—An act to add Sections 320 and 320.5 to the Agricultural Code, relating to rabbit slaughtering.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 743—An act to add Section 1066.6 to the Agricultural Code, relating to sodium fluoroacetate.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 406—An act to amend Section 1102.4 of the Agricultural Code, relating to eggs.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 426—An act to amend Section 1272.5 of the Agricultural Code, relating to handling and receiving farm products.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 949—An act to add Article 7.5 to Chapter 1, Division 4, Title 1 of the Government Code, relating to strikes by government officers or employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on April 8, 1947, strike out lines 5 to 17, inclusive.

Amendment No. 2

On page 2 of said bill, strike out lines 24 to 31, inclusive, and insert "1204. Nothing contained herein shall be construed to limit,".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1357—An act to add Section 16104 to, and to amend Sections 16100, 16101, and 16102 of the Business and Professions Code, relating to licensing of business by counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 10, of the printed bill, after "otherwise", strike out the period, and insert "; except that this section shall not apply to a business which is subject to the provisions of Chapter 2 of Division 3 of this code."

Amendment No. 2

On page 1, line 22, of the printed bill, after "otherwise", strike out the period, and insert "; except that this section shall not apply to a business which is subject to the provisions of Chapter 2 of Division 3 of this code."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

Senate Bill No. 1353—An act to amend Section 11005 of the Revenue and Taxation Code, relating to motor vehicle license tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 11005", and insert "Sections 11003 and 11005 and to repeal Section 11004".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert "SECTION 1. Section 11003 of the Revenue and Taxation Code is amended to read:

11003. [During the months of January, April, July, and October of each year an amount equal to one-quarter of the moneys appropriated by the Legislature from the Motor Vehicle License Fee Fund for support of the Department of Motor Vehicles for the fiscal year in which such distribution is made shall be transferred on order of the Controller to the Motor Vehicle Fund.] *The amount appropriated by the Legislature for the use of the Department of Motor Vehicles for the enforcement of this part shall first, during each fiscal year, be transferred from the Motor Vehicle License Fee Fund to the Motor Vehicle Fund. Such transfers shall be made quarterly on order of the Controller.*

SEC. 2. Section 11004 of said code is repealed.

SEC. 3. Section 11005 of said "

Amendment No. 3

On page 1, line 8, of said bill, strike out "Sections 11003 and 11004", and insert "Section 11003".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

Senate Bill No. 279—An act to add Sections 6011.5 and 6012.5 to the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Sections 6011.5 and 6012.5 to the Revenue and Taxation Code, relating to", and insert "provide housing accommodations for veterans, making an appropriation therefor from the proceeds of".

Amendment No. 2

In line 3 of the title of said bill, after "immediately", insert ", as an urgency measure".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. This act shall be known and cited as the Veterans Housing Act of 1947.

SEC. 2. The Legislature recognizes the necessity of providing housing accommodations for veterans in the State at the earliest possible moment, and that aid must be afforded persons who are willing to construct such housing accommodations, in order that they may proceed with the utmost dispatch. The hundreds of thousands of persons in the State who are unable to secure moderately priced living accommodations for themselves and families, and particularly the veterans, make it imperative that many new multiple family units be erected and rented at a rental within the means of such persons. To effectuate this purpose, it is necessary to offer to investors long-term, low interest rate money for financing the erection of such housing accommodations.

SEC. 3. As used in this act:

"Housing unit" means a portion of a building equipped and suitable for one family for living quarters.

"Veteran" includes any person who has served in the military or naval forces of the United States and who has been discharged or released therefrom under conditions other than dishonorable. It also includes the widow of a veteran.

"Family" is limited to the spouse and legal dependents who are members of the household.

"Department" means the Department of Veterans' Affairs.

SEC. 4. Any person desiring to erect housing units pursuant to this act, shall apply to the department, setting forth the proposed location and the plans and specifications of the building or buildings desired to be erected. He shall supply the department with proof of his ability to pay 10 percent of the costs of acquiring the land and constructing the housing units.

SEC. 5. If the location and the plans and specifications are satisfactory, the department shall enter into an agreement with the applicant to loan him 90 percent of the costs of acquisition of the land and construction of the housing units.

SEC. 6. Any such contract shall provide that:

(a) The total building cost per housing unit shall not exceed five thousand dollars (\$5,000).

(b) The loan shall be amortized over a period of not to exceed 40 years.

(c) The rate of interest upon deferred payments shall be 2 percent a year.

(d) A veteran shall be given preference in the renting of all housing units, and that such units shall not be rented to persons other than veterans unless the department determines that there are insufficient veterans in the community desiring to rent such housing units.

(e) Each housing unit shall be let to a single family.

(f) The rent for each unit shall be upon a schedule approved by the department and shall not be more than fifty dollars (\$50), nor less than twenty dollars (\$20), a month.

(g) All housing units shall be maintained in a state of repair and suitable for renting purposes for the full period of the loan.

SEC. 7. Any loan made pursuant to this act shall be secured by a deed of trust to the benefit of the State.

SEC. 8. The department shall make necessary rules to effectuate the purposes of this act, and to secure to the State the utmost protection on its investment. It shall provide for the foreclosure of all delinquent loans and for the operation of any units of which it may become the owner under such foreclosures or other repossession. It

may resell any such housing units for the amount of the unpaid balance of the loan, upon the same terms and conditions as the loan was originally made, and, with the consent of the Department of Finance, may sell for less, or upon different terms.

SEC. 9. There is hereby created in the State Treasury, a revolving fund to be known as the Veterans' Housing Fund of 1947. All money deposited in such fund shall be subject to the provisions of this act. Money may be withdrawn from such fund in accordance with law upon requisition of the department. All money received from payments of loans shall be deposited in this fund, and all money loaned pursuant to this act shall be paid from this fund.

SEC. 10. Out of any money available in the Veterans' Housing Fund of 1947, the department may advance to any owner of housing units constructed pursuant to this act upon his application, and under such regulations as the department may, from time to time, prescribe, sums for the purpose of keeping in good order or repair, or for painting, redecorating or remodeling, such housing units. The money so advanced shall be added to the loan and amortized within the period of the original loan contract. The department shall be the sole judge of the need and desirability of making such advances.

SEC. 11. Out of the proceeds of the sales and use taxes, the State Controller shall transfer to the Veterans' Housing Fund of 1947, a sum equal to 10 percent each month until the sum of one hundred million dollars (\$100,000,000) has been transferred to said fund.

SEC. 12. All sums repaid upon loans not required for the purposes of this act shall, at such times as the Department of Finance and the Department of Veterans' Affairs agree, be returned to the General Fund in the State Treasury.

SEC. 13. The expenses of administering this act shall be paid from the appropriation for the support of the Department of Veterans' Affairs.

SEC. 14. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Hundreds of thousands of veterans and other persons in this State are unable to secure moderately priced living accommodations for themselves and families. In order to provide such persons with suitable housing accommodations at the earliest possible moment, it is necessary that long-term, low interest rate money be loaned to persons who are willing to construct multiple family buildings, in order to house such veterans and other persons. It is therefore necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Revenue and Taxation.

Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XIII thereof a new section to be numbered 19, relating to reimbursement by the State of counties, cities and counties, and cities for loss of revenue resulting from the exemption of real property from taxation.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 5 of the title of the printed measure, strike out the second "and"; and in line 6 of said title, after "cities", insert "and districts".

Amendment No. 2

On page 1, line 7, of said measure, strike out "XII", and insert "XIII".

Amendment No. 3

On page 1, line 10, of said measure, strike out "and city", and insert "city and district".

Amendment No. 4

On page 1, line 12, of said measure, strike out "or cities", and insert "cities or districts".

Amendment No. 5

On page 1, line 13, of said measure, strike out "belonging to veterans or"; and strike out lines 14 to 16, inclusive, and insert "provided for by Sections 1c and 1 $\frac{1}{2}$ of this article or any law enacted by the Legislature pursuant to Sections 1c and 1 $\frac{1}{2}$ of this article."

Amendment No. 6

On page 1, line 17, of said measure, strike out "and city", and insert "city and district".

Amendment No. 7

On page 1, line 21, of said measure, strike out "and city", and insert "city and district".

Amendment No. 8

On page 1, line 24, of said measure, after the period, insert "The Department of Finance shall prescribe such procedure, forms and information as it deems necessary to perform the duties imposed upon it by this section."

Amendment No. 9

On page 2, line 16, of said measure, strike out "and city", and insert "city and district".

Amendment No. 10

On page 2, line 20, of said measure, strike out "and city", and insert "city and district".

Amendments read, and adopted.

Resolution ordered printed, and re-referred to Committee on Revenue and Taxation.

Senate Bill No. 1122—An act to amend Section 9255 of the Revenue and Taxation Code, relating to the confidential character of information obtained in the administration of the use fuel tax.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1123—An act to amend Section 7726 of the Revenue and Taxation Code, relating to the taxability of sales of motor vehicle fuel by unlicensed distributors.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1124—An act to add Section 10406 to the Revenue and Taxation Code, relating to the confidential character of information obtained in the administration of the motor vehicle transportation license tax.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1364—An act to amend Section 11272 of the Revenue and Taxation Code, relating to extensions of time for reporting operations of private cars.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 13—An act to amend Section 10452 of, and to add Section 10456 to, the Revenue and Taxation Code, relating to the Motor Vehicle Transportation License Tax.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 610—An act to amend Sections 427, 428, 430, and 432 of the Fish and Game Code, relating to hunting and fishing, and the issuance of licenses therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 21, 1947, after line 17, insert "(e) To any wife of a veteran, as defined in Section 800 or 980 of the Military and Veterans Code, upon payment of two dollars (\$2) even though she be an alien."

Amendment No. 2

On page 2 of said bill, after line 16, insert "The amendments to this section shall become effective with the issuance of licenses for the 1948 fishing season."

Amendment No. 3

On page 2, line 23, of said bill, strike out "subdivisions (c) and (d)", and insert "subdivision (b)".

Amendment No. 4

On page 2 of said bill, after line 24, insert "The amendments to this section shall become effective with the issuance of licenses for the 1948 fishing season."

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 615—An act to amend Section 740 of the Fish and Game Code, relating to grunion.

Bill read second time, and ordered to third reading.

Assembly Bill No. 18—An act to amend Section 1346 of the Fish and Game Code, relating to antelope.

Bill read second time, and ordered to third reading.

Assembly Bill No. 790—An act to amend Sections 250 and 252 of the Fish and Game Code, relating to refugees.

Bill read second time, and ordered to third reading.

Assembly Bill No. 433—An act making an appropriation in augmentation of the appropriation in Item 200 of the Budget Act of 1945, for support of the Division of Forestry, Department of Natural Resources.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2120—An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 11, line 36, of the printed bill, as amended in the Senate on April 28, 1947, after "year", insert "under this article".

Amendment No. 2

On page 15, line 7, of said bill, after "district", insert ", other than continuation high schools,".

Amendment No. 3

On page 15, line 13, of said bill, strike out "and", and insert "to".

Amendment No. 4

On page 15, line 14, of said bill, after "district", insert ", other than continuation high schools,".

Amendment No. 5

On page 15, line 18, of said bill, after "units", insert a comma.

Amendment No. 6

On page 15 of said bill, between lines 21 and 22, insert
"In the application of this section to junior high schools and to senior high schools the average daily attendance measures of 240 and of 10 units shall be reduced by the ratio that the number of years within the grade range 9 to 12, inclusive, actually maintained in each such junior high school or senior high school during said preceding fiscal year bears to four."

Amendment No. 7

On page 15, line 27, of said bill, strike out "or", and insert "and".

Amendment No. 8

On page 21, line 39, of said bill, strike out ", subject to Section 7112".

Amendment No. 9

On page 21, line 43, of said bill, strike out ", subject to Section 7112".

Amendment No. 10

On page 21, line 47, of said bill, strike out ", subject to Section 7112".

Amendment No. 11

On page 21, line 51, of said bill, strike out ", subject to Section 7112".

Amendment No. 12

On page 24, line 4, of said bill, strike out "this division", and insert "Articles 4 and 6 of this Chapter".

Amendment No. 13

On page 24, line 4, of said bill, strike out ", unless otherwise specifically provided,".

Amendments read, and adopted.

Bill ordered printed, and to third reading.

Assembly Bill No. 1133—An act to add Section 119.5 to the Agricultural Code, relating to reporting new pests.

Bill read second time, and ordered to third reading.

Assembly Bill No. 369—An act to amend Sections 272, 274, 275, 281, 283, 284, and 285.3 of, to add Sections 272.5 and 281.6 to, and to repeal Section 281.5 of, the Agricultural Code, relating to bee diseases and apiary equipment brands.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1127—An act to amend Section 12 of the Agricultural Code, relating to delegation of power or authority.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1129—An act to repeal Article 1A, comprising Section 35, of Chapter 1 of Division 1 of the Agricultural Code, relating to temporary provisions, conditions, standards, or prices.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1130—An act to amend Sections 53 and 57 of the Agricultural Code, relating to the qualification and appointment of deputy agricultural commissioners and agricultural inspectors.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1131—An act to add Section 106.3 to, and to amend Sections 115 and 124 of, the Agricultural Code, relating to warning tags or notices.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1132—An act to amend Section 108.5 of the Agricultural Code, relating to host-free periods and districts.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1135—An act to amend Section 123 of the Agricultural Code, relating to nursery stock manifests.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1376—An act to amend Section 802 of the Agricultural Code, relating to the maturity of grapes.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1626—An act to add Section 829.6 to the Agricultural Code, relating to sale of fruits and nuts in "consumer packages."

Bill read second time, and ordered to third reading.

MOTION TO RETAIN PLACE ON FILE

Senator Busch moved that Senate Bill No. 523 be passed on file, and that it retain its place on file until Monday.

Motion carried.

Chief Assistant Secretary Cleve V. Taylor at the Desk

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 1188—An act to add Section 55.65 to the Alcoholic Beverage Control Act, relating to fair trade contracts.

Bill read third time.

Motion to Re-Refer Senate Bill No. 1188

Senator Jespersen moved that Senate Bill No. 1188 be re-referred to Committee on Governmental Efficiency.

Motion carried.

Senate Bill No. 648—An act to add Section 21253.1 to the Government Code, relating to crediting service to state college instructors under certain conditions, in connection with the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Brown, Busch, Carter, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m., having arrived, Senate Bills Nos. 1492 and 1493 were taken up.

Senate Bill No. 1493—An act to add Chapter 7, comprising Sections 1115, 1116, and 1117, to Part 3, Division 2 of the Labor Code, relating to jurisdictional strikes.

Bill read third time.

Motion to Amend

Senator Carter moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 25, 1947, insert

"1115. A jurisdictional strike for the purposes of this chapter is defined as a strike arising out of a dispute between two bona fide labor organizations as to which has jurisdiction over the work being or to be performed."

Amendment No. 2

On page 1 of the printed bill, strike out lines 6 to 20, inclusive, and insert

"1116. Any attempt by a labor organization not a party to a collective bargaining agreement with an employer to cause or to compel a violation of a bona fide collective bargaining agreement with such employer which results in a jurisdictional strike, or, wherever procedures are created by law for the designation of a collective bargaining representative of the employees of an employer and such labor organization has not been so designated in accordance with such procedures, and in the absence of a bona fide collective bargaining agreement, to cause or compel any employer against his will to recognize or bargain with a labor organization as a collective bargaining representative of his employees, which results in a jurisdictional strike, is unlawful.

1117. Nothing herein contained is intended to, nor shall it be construed to, limit or in any way interfere with the declared public policy of this State enunciated in Section 923 of this code, and nothing herein contained is intended to, nor shall be construed to, limit the right of any person voluntarily to become or to remain a member of any bona fide labor organization or to urge, seek, or solicit any other person to join a bona fide labor organization."

Amendment No. 3

On page 1, line 21, of the printed bill, strike out "1116", and insert "1118".

Amendment No. 4

On page 2, line 1, of the printed bill, strike out "1117", and insert "1119".

Amendments read.

Motion to Table

Senator Weybret moved that the amendments offered by Senator Carter to Senate Bill No. 1493 be laid on the table.

Roll Call Demanded

Senators Carter, Salsman, and Keating demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Senators Breed, Brown, Burns, Cunningham, Dilworth, Hulse, Rich, Sutton, Watson, Weybret, and Williams—11.

NOES—Senators Busch, Carter, Collier, Crittenden, DeLap, Desmond, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, and Ward—25.

Senator McBride Presiding

At 3.40 p.m., Senator James J. McBride of the Thirty-third District, presiding.

**Further Consideration of the Amendments Offered by Senator Carter
to Senate Bill No. 1493**

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 25, 1947, insert

"1115. A jurisdictional strike for the purposes of this chapter is defined as a strike arising out of a dispute between two bona fide labor organizations as to which has jurisdiction over the work being or to be performed."

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 20, inclusive, and insert

"1116. Any attempt by a labor organization not a party to a collective bargaining agreement with an employer to cause or to compel a violation of a bona fide collective bargaining agreement with such employer which results in a jurisdictional strike, or, wherever procedures are created by law for the designation of a collective bargaining representative of the employees of an employer and such labor organization has not been so designated in accordance with such procedures, and in the absence of a bona fide collective bargaining agreement, to cause or compel any employer against his will to recognize or bargain with a labor organization as a collective bargaining representative of his employees, which results in a jurisdictional strike, is unlawful.

1117. Nothing herein contained is intended to, nor shall it be construed to, limit or in any way interfere with the declared public policy of this State enunciated in Section 923 of this code, and nothing herein contained is intended to, nor shall be construed to, limit the right of any person voluntarily to become or to remain a member of any bona fide labor organization or to urge, seek, or solicit any other person to join a bona fide labor organization."

Amendment No. 3

On page 1, line 21, of said bill, strike out "1116", and insert "1118".

Amendment No. 4

On page 2, line 1, of said bill, strike out "1117", and insert "1119".

Amendments read.

Motion to Substitute Amendment

Senator Crittenden moved that his amendment be substituted for the amendments offered by Senator Carter to Senate Bill No. 1493.

Motion to Withdraw

Senator Carter moved that his amendments be withdrawn, so that the Senate could consider the amendment offered by Senator Crittenden.

Motion carried.

Further Amendments to Senate Bill No. 1493**Motion to Amend**

Senator Crittenden moved the adoption of the following amendment :

Amendment No. 1

On page 1, line 11, of the printed bill, after "wherever", strike out the balance of line 11, all of line 12, and all of line 13.

Amendment read.

The question being on the adoption of the amendment by Senator Crittenden.

Roll Call Demanded

Senators Collier, Desmond, and Jespersen demanded a roll call.

The roll was called, and the amendment adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, DeLap, Deuel, Dillinger, Donnelly, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Tenney, and Ward—26.

NOES—Senators Cunningham, Desmond, Dilworth, Gordon, Hulse, McCormack, Rich, Sutton, Watson, Weybret, and Williams—11.

Motion to Reconsider

Senator Rich moved to reconsider the vote whereby the amendment by Senator Crittenden to Senate Bill No. 1493 was adopted.

Postponement of Reconsideration

On motion of Senator Rich, the further consideration of the motion to reconsider the vote whereby the amendment by Senator Crittenden to Senate Bill No. 1493 was adopted, was continued until the next legislative day.

Further Amendments to Senate Bill No. 1493**Motion to Amend**

Senator Carter moved the adoption of the following amendment :

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 25, 1947, strike out lines 16 to 20, inclusive, and insert "Nothing herein contained is intended to, nor shall it be construed to, limit or in any way interfere with the declared public policy of this State enunciated in Section 923 of this code, and nothing herein contained is intended to, nor shall be construed to, limit the right of any person voluntarily to become or to remain a member of any bona fide labor organization or to urge, seek, or solicit any other person to join a bona fide labor organization."

Amendment read.

The question being on the adoption of the amendment by Senator Carter.

Roll Call Demanded

Senators Donnelly, Rich, and Jespersen demanded a roll call.

Amendment Withdrawn

Senator Carter withdrew his amendment to Senate Bill No. 1493.

Motion to Reset Special Order

Senator Rich moved that Senate Bills Nos. 1492 and 1493 be made a special order of business for Monday, May 5, 1947, at 2.30 p.m.

Motion carried.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 901

Senator Tenney moved that Senate Bill No. 901 be withdrawn from Committee on Financial Institutions, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 901—An act to add a new section to the Insurance Code to be numbered 700.01, relating to the classes of insurance business incorporated insurers may be admitted to transact.

Bill read second time.

Motion to Amend

Senator Tenney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "a new section", and insert "new sections".

Amendment No. 2

In line 2 of the title of the printed bill, after "700.01", and before the comma, insert "and 700.02".

Amendment No. 3

On page 1, lines 4 and 5, of the printed bill, strike out "the authority conferred by all other", and insert "any or all of the classes of insurance which it is permitted to transact by all other applicable".

Amendment No. 4

On page 1, line 6, of the printed bill, strike out "qualified to be", and insert "hereafter".

Amendment No. 5

On page 1, line 13, of the printed bill, after "transacted", and before the semicolon, insert "or one million dollars, whichever is lower".

Amendment No. 6

On page 1, line 14, of the printed bill, strike out "all".

Amendment No. 7

On page 1, line 15, of the printed bill, after "insurance", insert "making application under this section".

Amendment No. 8

On page 1, line 17, of the printed bill, after the period, insert "In no event shall any incorporated insurer be required to have a paid in capital in excess of one million dollars (\$1,000,000) as a condition for its admission for any or all of the classes of insurance hereinafter set forth."

Amendment No. 9

On page 2, line 9, of the printed bill, strike out "An insurer which applies for admission", and insert "This section shall not be applicable to life, title or mortgage insurers, and an insurer now or hereafter admitted".

Amendment No. 10

On page 2 of the printed bill, immediately following line 12, insert "Sec. 2. Section 700.02 is added to the Insurance Code, to read:

700.02. No insurer shall be issued a certificate of authority other than a renewal certificate of authority for any of the classes set forth in Section 100 unless at the time of such issuance it possesses, in addition to the minimum paid in capital required by this code,

(a) A surplus of not less than 50 percent of the minimum paid in capital required for all classes of insurance sought to be transacted by it in this State, in the case of an insurer which has transacted insurance for at least five years immediately preceding its admission for the class or classes of insurance for which it seeks admission, or

(b) A surplus of not less than 100 percent of the minimum paid in capital required for all classes of insurance sought to be transacted by it in this State, or such lesser amount as the commissioner may deem adequate but in no event less than 50 percent of such minimum paid in capital, in the case of any other insurer.

SEC. 3. If any section, sentence, clause, or part of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, sentence, clause, or part thereof, irrespective of the fact that one or more sections, sentences, clauses, or parts shall be declared unconstitutional."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered :

Senate Concurrent Resolution No. 43: By Senator Keating—Relative to approving certain amendments to the charter of the City of San Rafael, in the County of Marin, State of California, voted for and ratified by the electors of the city at a general municipal election held therein on the fourteenth day of April, 1947.

Request for Unanimous Consent

Senator Keating asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 43, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 43

Senate Concurrent Resolution No. 43—Relative to approving certain amendments to the charter of the City of San Rafael, in the County of Marin, State of California, voted for and ratified by the electors of the city at a general municipal election held therein on the fourteenth day of April, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Judah, Keating, Kraft, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Senator Sutton:

Request for Permission to Introduce a Bill

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add a new Section 924 to Chapter 1, Part 3, Division 2 of the Labor Code, relating to certain rights of employers.

Respectfully submitted.

SENATOR LOUIS G. SUTTON

Recommendation of Committee on Rules

SENATE CHAMBER, SACRAMENTO, May 1, 1947

The Committee on Rules recommends that permission be granted to introduce the bill as requested.

POWERS, Chairman

The roll was called, and permission granted by the following vote:

AYES—Senators Breed, Burns, Crittenden, Cunningham, DeLap, Desmond, Deuel, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—None.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following bill was introduced, and read the first time:

Senate Bill No. 1565: By Senator Sutton—An act to add a new Section 924 to Chapter 1, Part 3, Division 2 of the Labor Code, relating to certain rights of employers.

Referred to Committee on Labor.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 68

Assembly Concurrent Resolution No. 69

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Concurrent Resolution No. 68—Relative to discontinuance of the fee system of feeding prisoners in county jails.

Referred to Committee on Local Government.

Assembly Concurrent Resolution No. 69—Relative to the need of trained teachers.

Referred to Committee on Education.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 99

Assembly Bill No. 279

Assembly Bill No. 444

Assembly Bill No. 640

Assembly Bill No. 886

Assembly Bill No. 913

Assembly Bill No. 1164

Assembly Bill No. 1378

Assembly Bill No. 1407

Assembly Bill No. 1409

Assembly Bill No. 1641

Assembly Bill No. 1985

Assembly Bill No. 2107

Assembly Bill No. 2202

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Assembly Bill No. 99—An act to amend Sections 737aa and 737nn of the Political Code, relating to the salaries of judges of the superior court.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 279—An act to add Section 7e to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the office of secretary and jury commissioner in municipal courts in cities of the first and one-half class.

Referred to Committee on Local Government.

Assembly Bill No. 444—An act to add Section 4041.40 to the Political Code, and Section 26205 to the Government Code, relating to the preservation of certain documentary records by the preparation of photographic copies thereof and the destruction or disposition of said records thereafter.

Referred to Committee on Judiciary.

Assembly Bill No. 640—An act to amend Section 59 of the Alcoholic Beverage Control Act, relating to sales on election day.

Referred to Committee on Governmental Efficiency.

Assembly Bill No. 886—An act to amend Sections 17051, 17057, 17136.1, 17165, 17254, 17319, 17319.3, 17319.5, 17322.3, and to amend and renumber Sections 17325, 17326, 17327, 17328, 17329, 17330, 17332.11, and to amend Sections 17353, 17354, 17355, 17535, 17721, 17980.1, 18132, 18475, 18552, 18554, 18648, 19253 of, and to add Sections 17102.1, 17102.2, to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 913—An act to amend Section 4131 of the Political Code and Section 27322 of the Government Code, relating to county recorders.

Referred to Committee on Local Government.

Assembly Bill No. 1164—An act to amend Sections 8 and 13 of, and to add Section 34.1 to, the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1378—An act to amend Section 1097 of the Fish and Game Code, relating to record of catch.

Referred to Committee on Fish and Game.

Assembly Bill No. 1407—An act to amend Section 2912 of the Revenue and Taxation Code, relating to assessors' monthly reports to auditors.

Referred to Committee on Local Government.

Assembly Bill No. 1409—An act to amend Section 1426.1 of the Penal Code, relating to copies of complaints for defendants.

Referred to Committee on Judiciary.

Assembly Bill No. 1641—An act to amend Sections 322 and 327 of the Revenue and Taxation Code, relating to description of land for assessment purposes.

Referred to Committee on Local Government.

Assembly Bill No. 1985—An act to amend Section 5 of the Corporate Securities Act, relating to rules and regulations.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2107—An act to amend Sections 255 and 441 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2202—An act to add Chapter 18, comprising Section 19500, to the Revenue and Taxation Code, relating to personal income taxes, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 39

Senate Concurrent Resolution No. 41

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 342

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 577

And reports the same correctly re-engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 319—An act to amend Sections 13640 and 13643 and to repeal Sections 13642, 13644, and 13645 of the Government Code, relating to state printing funds;

Senate Bill No. 341—An act to amend Section 1503 of the Education Code, relating to the interdistrict attendance of pupils;

Senate Bill No. 389—An act to amend Section 4244 of the Political Code and Section 28115 of the Government Code, relating to compensation for public services in counties of the fifteenth class;

Senate Bill No. 505—An act to amend Section 4259 of the Political Code and Section 28130 of the Government Code, relating to compensation for public services in counties;

Senate Bill No. 589—An act to amend Section 22727 of the Water Code, relating to verified claims for damages;

Senate Bill No. 662—An act to add Article 3 to Chapter 1 of Division 1 of the Agricultural Code and to repeal an act entitled "An act to promote the welfare of the poultry industry of the State of California; to encourage the breeding of poultry stock through public testing and demonstration of the results of superior breeding, and to make an appropriation," approved July 22, 1939, relating to the Poultry Improvement Commission;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1947, at 3 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 665—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance;

Senate Bill No. 668—An act to amend Sections 11529 and 11530 of the Insurance Code, and to add to the Insurance Code a new section to be numbered 11529.5, all relating to voluntary mutualization of incorporated life and life and disability insurers;

Senate Bill No. 944—An act to amend Sections 6401 and 6402 of the Public Resources Code, and to add Sections 6403 and 6404 thereto, relating to the reservation of oil, gas, and mineral rights in state lands;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1947, at 3 p.m.

POWERS, Chairman

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, April 30, 1947

MR. PRESIDENT: The Committee on Military and Veterans Affairs, to which was referred:

Senate Bill No. 1248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Finance.

Committee membership 9; committee vote: Ayes 7; absent 2.

WARD, Chairman

Above reported bill ordered to second reading.

Committee on Finance

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Finance, to which was referred:

Senate Bill No. 666

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 11; committee vote: Ayes 10; absent 1.

RICH, Chairman

Above reported bill ordered to second reading.

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1059

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 6; noes 1; absent 2.

BREED, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which were referred:

Senate Bill No. 1069

Senate Bill No. 1475

Senate Bill No. 516

Assembly Bill No. 961

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 7; absent 2.

BREED, Chairman

Above reported bills ordered to second reading.

ADJOURNMENT

At 4 p.m., on motion of Senator Breed, the President declared the Senate adjourned until 10 a.m., Friday, May 2, 1947.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FIFTY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED SEVENTEENTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Friday, May 2, 1947

The Senate met at 10 a.m.

Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—31.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Keating, due to illness.

Senator DeLap, on motion of Senator Keating, due to legislative business.

Senator Sutton, on motion of Senator Keating, due to legislative business.

Senator Deuel, on motion of Senator Keating, due to legislative business.

Senator O'Gara, on motion of Senator Keating, due to legislative business.

Senator Swing, on motion of Senator Keating, due to legislative business.

Senator McCormack, on motion of Senator Slater, due to legislative business.

Senator Dillinger, on motion of Senator Keating, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Grace Stoerner, former Secretary of the Senate, of Los Angeles.

On request of Senators Tenney and Mayo, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. J. W. Crawford of Sugar Pine.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. W. C. Williams, Mrs. Mary Jackson, Mrs. Ada Williams, teachers, and the following students of the Camptonville Union School of Camptonville: LaVerna Crawford, Gwendolyn Hummel, Betty Franklin, Pat Kessler, Freda Olson, Larry Cox, Jerry Wolfe, Jack Bishop, Gene Hummel, Eva Olson, Doris Turner, Donald Kissig, Howard Williams, Cleora Hanson, Colleen Brown, Barbara Townsend, John Jaynes, Floyd Franklin, Carl Franklin, Charles Franklin, Robert Mumm, Wayne Stoddard, Lester Wolfe, James Abernathy, Ila Baker, Norma Baker, Anna Fern Bartsch, Donna Lee Stoddard, Gene Woods, Shirley Kessler, Marian Porter, and Phyllis Porter.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Howard M. Lotta, teacher, and the following eighth grade students of the Clarksburg Elementary School: Katherine Pyhman, Marilyn Slater, Sue Davis, Claire Gorter, Darlene Correa, Lorene Alanda, Betty Kataoka, June Strickland, Sue Hironaka, Teresita DeHerrera, Ramona Armenta, Ramona Lujan, Mercedes Samaniego, Lupe Luna, Monzell Breckenridge, Frank Garcia, James Tidd, Paul Salazer, Paul Hall, Billy Studebaker, Dick Heringer, Floyd Colby, Harold McDonall, Raymond Mello, Frank Marita, Ted Imamura, Ben Baba, Jim Iseri, Ralph Daurte, and Shigeru Tabata.

On request of Senators Parkman and Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. J. H. Santos of Ripon, and Mrs. Edward Allan of Sacramento.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 322

Senate Bill No. 1123

Senate Bill No. 406

Senate Bill No. 1124

Senate Bill No. 426

Senate Bill No. 1364

Senate Bill No. 642

Senate Bill No. 1556

Senate Bill No. 743

Senate Bill No. 1562

Senate Bill No. 1122

And reports the same correctly engrossed.

POWERS, Chairman

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1091

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 11; committee vote: Ayes 10; absent 1.

POWERS, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1554

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 10; absent 1.

POWERS, Vice Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 422

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Finance.

Committee membership 11; committee vote: Ayes 10; absent 1.

POWERS, Vice Chairman

Above reported bill re-referred to Committee on Finance.

Committee on Local Government

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 649

Assembly Bill No. 958

Assembly Bill No. 957

Assembly Bill No. 2143

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 8; absent 1.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Local Government, to which were referred:

Senate Bill No. 1169

Assembly Bill No. 954

Senate Bill No. 1557

Assembly Bill No. 959

Senate Bill No. 383

Assembly Bill No. 976

Assembly Bill No. 591

Assembly Bill No. 683

Assembly Bill No. 955

Assembly Bill No. 749

Assembly Bill No. 956

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

CUNNINGHAM, Chairman

Above reported bills ordered to second reading.

Committee on Business and Professions

SENATE CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: The Committee on Business and Professions, to which was referred:

Senate Bill No. 1385

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 8; absent 1.

BREED, Chairman

Above reported bill ordered to second reading.

MOTION TO RE-REFER SENATE BILL NO. 577

Senator Rich moved that Senate Bill No. 577 be re-referred to Committee on Finance.

Motion carried.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 964—An act to amend Section 58 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 967—An act to add Section 57.3 to, and to amend Section 58 of, the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 493—An act to amend Sections 9, 25, 45, 45.7, and 93 of, and to repeal Sections 9.7 and 56.5 of, and to add Sections 20.5 and 56.5 to the Unemployment Insurance Act, relating to unemployment and disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended in the Senate on March 28, 1947, and insert "Section 9.7 of, and to add Section 20.5".

Amendment No. 2

On page 5 of said bill, strike out line 24, and insert "SEC. 6. Section 9.7 of said act is repealed."

Amendment No. 3

On page 5 of said bill, strike out lines 37 to 51, inclusive; and on page 6, strike out lines 1 to 52, inclusive; and on page 7, strike out lines 1 to 29, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 753—An act to amend Section 41.5 of the California Unemployment Insurance Act, relating to transfer of employers' reserve accounts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 6, of the printed bill, after "business", insert "involving a separate or distinct function of such organization, trade or business".

Amendment No. 2

On page 1, line 11, of the printed bill, strike out "intends to continue", and insert "continues".

Amendment No. 3

On page 2, line 4, of the printed bill, after "thereof", and before the comma, insert "without substantial reduction of personnel resulting from such acquisition".

Amendment No. 4

On page 2, line 16, of the printed bill, after "employment", insert "relating to such transferred organization, trade, or business or transferred portion thereof".

Amendment No. 5

On page 2 of the printed bill, strike out lines 28, 29, 30, 31 and 32, and insert "acquisitions prior as well as subsequent to the effective date of this act; provided, that notice of such acquisitions shall have been given to the commission within one year of the date of such acquisition; and provided further that transfer of accounts with respect to acquisitions consummated prior to the effective date of this act, not previously authorized prior to said effective date, shall not affect any rate of contribution for any period prior to said effective date."

Amendment No. 6

On page 3, lines 28 and 29, of the printed bill, strike out "The commission may for good cause apply such regulations retroactively."

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 1111—An act to amend Sections 8.5, 45.5, 45.8, 45.9, 45.10, 64, 305, and 452 of, and repeal Sections 67 and 68 of, and add Sections 67, 68, and 68.1 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "and repeal Sections 67 and 68 of, and add Sections 67, 68, and 68.1 to".

Amendment No. 2

On page 6, line 49, of said bill, after "years", insert "after the close".

Amendment No. 3

On page 6, line 51, of said bill, strike out "thereof", and insert "of the overpayment".

Amendment No. 4

On page 7 of said bill, strike out lines 44 to 51, inclusive; and on page 8, strike out lines 1 to 52, inclusive; and on page 9, strike out lines 1 to 18, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 1112—An act to add Section 39.5 to the Unemployment Insurance Act, relating to contributions and costs of administration.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in the Senate on April 21, 1947, strike out "and 1602", and insert ", 1602, and 1603".

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Senate Bill No. 930—An act to amend Section 1352 of the Labor Code, relating to employment, working hours of female employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Labor :

Amendment No. 1

On page 1, line 15, of the printed bill, after "Act", insert ", except that such licensees shall not work more than 48 hours in any one calendar week".

Amendment read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1248—An act to add Section 8.5 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to the completion of facilities remaining uncompleted by reason of cessation of work by the Federal Government pursuant to contracts for such work, making an appropriation and providing for the allocation thereof, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs :

Amendment No. 1

On page 2, line 48, of the printed bill, as amended in the Senate on April 28, 1947, after the period, insert "Nothing contained in this section shall relieve any local agency of its obligation to pay the amount provided to be paid by it in any contract heretofore or hereafter entered into with the State under this act."

Amendment No. 2

On page 3, line 36, of said bill, strike out "such amount", and insert "and the Controller such amounts".

Amendment No. 3

On page 3, line 40, of said bill, after "section", insert "for the Department of Finance and shall in no event exceed one-half of 1 percent of this appropriation for the Controller".

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Finance.

Senate Bill No. 666—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance:

Amendment No. 1

On page 2 of the printed bill, between lines 22 and 23, insert
"4.5—For rent of space and pay of stenographers for Senate interim committees when authorized by the Senate Rules Committee----- 100,000".

Amendment No. 2

On page 2, line 40, of said bill, strike out "122,403", and insert "150,009".

Amendment No. 3

On page 2, line 45, of said bill, strike out "144,650", and insert "167,315".

Amendment No. 4

On page 2, line 46, of said bill, strike out "9,160", and insert "12,510".

Amendment No. 5

On page 2, line 47, of said bill, strike out "1,793", and insert "3,384".

Amendment No. 6

On page 2, line 49, of said bill, strike out "155,603", and insert "183,209".

Amendment No. 7

On page 3, line 9, of said bill, strike out "122,403", and insert "150,009".

Amendment No. 8

On page 3, line 16, of said bill, strike out "305,800", and insert "309,305".

Amendment No. 9

On page 5 of said bill, between lines 7 and 8, insert "The Director of Finance shall not approve for expenditure in the fiscal year budget for the Personnel Board seventy-six thousand eight hundred twenty dollars (\$76,820) of the amount appropriated for salaries and wages in schedule (a) of this item unless sufficient additional office space is obtained to provide the work area required for the proposed new positions for which money has been appropriated in this item."

Amendment No. 10

On page 5, line 9, of said bill, strike out "121,005", and insert "126,805".

Amendment No. 11

On page 5, line 14, of said bill, strike out "96,255", and insert "101,895".

Amendment No. 12

On page 5, line 16, of said bill, strike out "1,150", and insert "1,310".

Amendment No. 13

On page 5, line 18, of said bill, strike out "125,505", and insert "131,305".

Amendment No. 14

On page 5, line 23, of said bill, strike out "121,005", and insert "126,805".

Amendment No. 15

On page 5, line 29, of said bill, strike out "27,258", and insert "25,715".

Amendment No. 16

On page 5, line 33, of said bill, strike out "1,643", and insert "100".

Amendment No. 17

On page 5, line 35, of said bill, strike out "27,258", and insert "25,715".

Amendment No. 18

On page 5, line 40, of said bill, strike out "3,131,223", and insert "3,243,758".

Amendment No. 19

On page 5, line 46, of said bill, strike out "2,370,942", and insert "2,421,692".

Amendment No. 20

On page 5, line 47, of said bill, strike out "755,949", and insert "811,394".

Amendment No. 21

On page 5, line 48, of said bill, strike out "145,850", and insert "152,190".

Amendment No. 22

On page 5, line 50, of said bill, strike out "3,272,741", and insert "3,385,276".

Amendment No. 23

On page 6, line 11, of said bill, strike out "3,131,223", and insert "3,243,758".

Amendment No. 24

On page 6 of said bill, between lines 11 and 12, insert "Of the amount herein appropriated the sum of eighty thousand six hundred ninety-seven dollars (\$80,697), which represents an increased appropriation for the Division of Economics, Department of Agriculture, over the expenditures for the 1946-47 Fiscal Year, is available for matching federal funds for agricultural marketing research under the provisions of Public Law 733 passed August 14, 1946, which provides federal assistance to agricultural marketing research."

Amendment No. 25

On page 6 of said bill, between lines 23 and 24, insert "Of the amount herein appropriated the sum of one hundred twenty-one thousand seven hundred and one dollars (\$121,701), which represents an increased appropriation for the Division of Economics, Department of Agriculture, over the expenditures for the 1946-47 Fiscal Year, is available for matching federal funds for agricultural marketing research under the provisions of Public Law 733 passed August 14, 1946, which provides federal assistance to agricultural marketing research."

Amendment No. 26

On page 6 of said bill, between lines 23 and 24, insert
 "39.5—For support of the Agricultural Research Study Committee..... 15,000"

Amendment No. 27

On page 6, line 35, of said bill, strike out "10,670", and insert "20,670".

Amendment No. 28

On page 6, line 36, of said bill, strike out "7,711", and insert "24,711".

Amendment No. 29

On page 6, line 37, of said bill, strike out "225", and insert "3,225".

Amendment No. 30

On page 6, line 39, of said bill, strike out "18,606", and insert "48,606".

Amendment No. 31

On page 6, line 45, of said bill, strike out "8,760", and insert "38,760".

Amendment No. 32

On page 7, line 5, of said bill, strike out "8,760", and insert "38,760".

Amendment No. 33

On page 7, line 15, of said bill, strike out "2,650", and insert "56,150".

Amendment No. 34

On page 7 of said bill, between lines 15 and 16, insert
 "42.5—For acquisition of real property, Poultry Improvement Commission, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of State, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code, to be expended under the provisions of the Property Acquisition Act..... 5,000"

Amendment No. 35

On page 7 of said bill, between lines 37 and 38, insert
 "44.5 For expenses of the Board of Corrections and special commissions thereof in making a study of crime, pursuant to Section 6027 of the Penal Code, Department of Corrections..... 55,000".

Amendment No. 36

On page 7, line 44, of said bill, following "charges", insert ", payable under Section 4700 of the Penal Code,".

Amendment No. 37

On page 8, line 32, of said bill, strike out "1,394,617", and insert "1,424,417".

Amendment No. 38

On page 8, line 39, of said bill, strike out "570,600", and insert "600,400".

Amendment No. 39

On page 8, line 42, of said bill, strike out "1,430,697", and insert "1,460,497".

Amendment No. 40

On page 8, line 48, of said bill, strike out "1,394,617", and insert "1,424,417".

Amendment No. 41

On page 9, line 29, of said bill, strike out "306,045", and insert "311,285".

Amendment No. 42

On page 9, line 35, of said bill, strike out "251,645", and insert "256,885".

Amendment No. 43

On page 9, line 39, of said bill, strike out "438,745", and insert "443,985".

Amendment No. 44

On page 9, line 45, of said bill, strike out "306,045", and insert "311,285".

Amendment No. 45

On page 10, line 43, of said bill, strike out "445,987", and insert "440,507".

Amendment No. 46

On page 10, line 45, of said bill, strike out "314,215", and insert "311,035".

Amendment No. 47

On page 10, line 46, of said bill, strike out "99,970", and insert "99,170".

Amendment No. 48

On page 10, line 47, of said bill, strike out "31,802", and insert "30,302".

Amendment No. 49

On page 10, line 49, of said bill, strike out "445,987", and insert "440,507".

Amendment No. 50

On page 11, line 14, of said bill, strike out "778,816", and insert "766,422".

Amendment No. 51

On page 11, line 16, of said bill, strike out "490,075", and insert "480,595".

Amendment No. 52

On page 11, line 17, of said bill, strike out "236,945", and insert "234,545".

Amendment No. 53

On page 11, line 18, of said bill, strike out "51,796", and insert "51,282".

Amendment No. 54

On page 11, line 20, of said bill, strike out "778,816", and insert "766,422".

Amendment No. 55

On page 11, line 37, of said bill, strike out "151,108", and insert "148,348".

Amendment No. 56

On page 11, line 43, of said bill, strike out "95,737", and insert "92,977".

Amendment No. 57

On page 11, line 47, of said bill, strike out "157,558", and insert "154,798".

Amendment No. 58

On page 11, line 52, of said bill, strike out "151,108", and insert "148,348".

Amendment No. 59

On page 12 of said bill, between lines 25 and 26, insert

"None of the funds herein appropriated shall be expended until the Director of Finance, the State Architect and the Director of the Youth Authority make a survey and conclude that these expenditures should be made, after due consideration is given to the possibility of moving this institution."

Amendment No. 60

On page 12, line 35, of said bill, strike out "1,018,830", and insert "1,015,810".

Amendment No. 61

On page 12, line 42, of said bill, strike out "702,045", and insert "660,525".

Amendment No. 62

On page 12, line 43, of said bill, strike out "314,219", and insert "313,710".

Amendment No. 63

On page 12, line 46, of said bill, strike out "1,051,390", and insert "1,048,370".

Amendment No. 64

On page 12, line 52, of said bill, strike out "1,018,830", and insert "1,015,810".

Amendment No. 65

On page 13, line 4, of said bill, strike out "202,000", and insert "142,000".

Amendment No. 66

On page 13 of said bill, between lines 4 and 5, insert

"None of the funds herein appropriated shall be expended until they have been reviewed by the Farm Advisor of the Department of Finance, the State Architect, and Director of the Youth Authority, and that the expenditures for each of the items be only in the amounts they recommend, and that a report be included on this matter in the next session of the Legislature."

Amendment No. 67

On page 13, line 25, of said bill, strike out "193,252", and insert "191,577".

Amendment No. 68

On page 13, line 33, of said bill, strike out "16,631", and insert "14,956".

Amendment No. 69

On page 13, line 35, of said bill, strike out "200,302", and insert "198,627".

Amendment No. 70

On page 13, line 40, of said bill, strike out "193,252", and insert "191,577".

Amendment No. 71

On page 13, line 46, of said bill, strike out "355,954", and insert "350,914".

Amendment No. 72

On page 14, line 3, of said bill, strike out "243,640", and insert "238,600".

Amendment No. 73

On page 14, line 7, of said bill, strike out "372,454", and insert "367,414".

Amendment No. 74

On page 14, line 12, of said bill, strike out "355,954", and insert "350,914".

Amendment No. 75

On page 14, line 21, of said bill, after "Education", insert ", Superintendent of Public Instruction".

Amendment No. 76

On page 14, line 23, of said bill, strike out "1,322,090", and insert "1,107,500".

Amendment No. 77

On page 14, line 30, of said bill, strike out "835,738", and insert "684,298".

Amendment No. 78

On page 14, line 31, of said bill, strike out "414,850", and insert "362,576".

Amendment No. 79

On page 14, line 32, of said bill, strike out "97,926", and insert "87,056".

Amendment No. 80

On page 14, line 34, of said bill, strike out "1,348,520", and insert "1,133,930".

Amendment No. 81

On page 14, line 42, of said bill, strike out "1,322,090", and insert "1,107,500".

Amendment No. 82

On page 14 of said bill, after line 42, insert
 "78.5—For administration of the School Lunch Program, Department of
 Education, in accordance with the following schedule:----- 99,271
 Schedule:
 (a) Salaries and Wages ----- 69,260
 (b) Operating Expense ----- 29,325
 (c) Equipment ----- 686
 Total of Schedule ----- 99,271".

Amendment No. 83

On page 14 of said bill, strike out lines 49 to 52, inclusive, and insert a period and
 "At the end of the fiscal year the unexpended balance of any money so transferred
 shall revert to the General Fund to the credit of this item."

Amendment No. 84

On page 15, line 9, of said bill, after "Finance.", insert "At the end of the fiscal
 year the unexpended balance of any money so transferred shall revert to the General
 Fund to the credit of this item."

Amendment No. 85

On page 15, lines 15 and 16, of said bill, strike out ", on order of the Director of
 Finance,".

Amendment No. 86

On page 15, line 25, of said bill, after "Fund", insert "to the credit of this item".

Amendment No. 87

On page 17, line 24, of said bill, strike out "799,870", and insert "797,820".

Amendment No. 88

On page 17, line 33, of said bill, strike out "61,681", and insert "59,631".

Amendment No. 89

On page 17, line 35, of said bill, strike out "1,196,402", and insert "1,194,352".

Amendment No. 90

On page 17, line 45, of said bill, strike out "799,870", and insert "797,820".

Amendment No. 91

On page 20, line 3, of said bill, strike out "146,360", and insert "127,310".

Amendment No. 92

On page 21, line 44, of said bill, strike out "5,400", and insert "9,000".

Amendment No. 93

On page 21, line 51, of said bill, strike out "188,245", and insert "215,745".

Amendment No. 94

On page 22, line 7, of said bill, strike out "81,400", and insert "99,400".

Amendment No. 95

On page 22, line 8, of said bill, strike out "115,260", and insert "126,960".

Amendment No. 96

On page 22, line 11, of said bill, strike out "201,295", and insert "230,995".

Amendment No. 97

On page 22, line 14, of said bill, strike out "13,050", and insert "15,250".

Amendment No. 98

On page 22, line 16, of said bill, strike out "188,245", and insert "215,745".

Amendment No. 99

On page 24, line 14, of said bill, strike out "15,721,012", and insert "15,754,532".

Amendment No. 100

On page 24, line 15, of said bill, following "research", insert "and the dissemina-
 tion of information gained therefrom".

Amendment No. 101

On page 24, line 16, of said bill, strike out all following the comma after the first partial word "fornia"; and strike out line 17, and insert "exempt from Section 14 of this act,—1,533,935".

Amendment No. 102

On page 24, of said bill, after line 17, insert

"The amount herein appropriated is available for matching federal funds for agricultural research under the provisions of Public Law 733 passed August 14, 1946, which provides federal assistance to agricultural research."

Amendment No. 103

On page 24 of said bill, strike out lines 25 to 29, inclusive.

Amendment No. 104

On page 24, line 42, of said bill, strike out "832,633", and insert "838,720".

Amendment No. 105

On page 24, line 44, of said bill, strike out "653,785", and insert "659,725".

Amendment No. 106

On page 24, line 46, of said bill, strike out "52,566", and insert "52,713".

Amendment No. 107

On page 24, line 48, of said bill, strike out "832,633", and insert "838,720".

Amendment No. 108

On page 25, line 22, of said bill, strike out "85,651", and insert "197,986".

Amendment No. 109

On page 25 of said bill, strike out lines 29 to 34, inclusive.

Amendment No. 110

On page 25, line 36, of said bill, strike out "1,081,614", and insert "1,116,219".

Amendment No. 111

On page 25, line 42, of said bill, strike out "801,833", and insert "815,373".

Amendment No. 112

On page 25, line 43, of said bill, strike out "238,883", and insert "251,598".

Amendment No. 113

On page 25, line 44, of said bill, strike out "46,688", and insert "55,038".

Amendment No. 114

On page 25, line 46, of said bill, strike out "1,087,404", and insert "1,122,009".

Amendment No. 115

On page 25, line 51, of said bill, strike out "1,081,614", and insert "1,116,219".

Amendment No. 116

On page 25 of said bill, following line 51, insert

"130.5—For investigation of the administration, enforcement, and operation of the laws, the administration and enforcement of which is vested in the State Board of Equalization, as provided in Section 3694 of the Political Code, Board of Equalization----- provided this item shall be available only upon final enactment of Senate Bill No. 1560 of the Fifty-seventh Session of the Legislature."

41,000

Amendment No. 117

On page 26, line 4, of said bill, strike out "5,411,446", and insert "5,273,798".

Amendment No. 118

On page 26, line 11, of said bill, strike out "4,806,775", and insert "4,665,685".

Amendment No. 119

On page 26, line 12, of said bill, strike out "595,495", and insert "613,225".

Amendment No. 120

On page 26, line 13, of said bill, strike out "178,194", and insert "163,906".

Amendment No. 121

On page 26, line 15, of said bill, strike out "5,580,464", and insert "5,442,816".

Amendment No. 122

On page 26, line 23, of said bill, strike out "5,411,446", and insert "5,273,798".

Amendment No. 123

On page 26, line 26, of said bill, strike out "1,902,494", and insert "1,925,844".

Amendment No. 124

On page 26, line 28, of said bill, strike out "1,499,910", and insert "1,508,490".

Amendment No. 125

On page 26, line 29, of said bill, strike out "334,609", and insert "346,699".

Amendment No. 126

On page 26, line 30, of said bill, strike out "67,975", and insert "70,655".

Amendment No. 127

On page 26, line 32, of said bill, strike out "1,902,494", and insert "1,925,844".

Amendment No. 128

On page 26, line 36, of said bill, strike out "306,285", and insert "307,204".

Amendment No. 129

On page 26, line 39, of said bill, strike out "64,792", and insert "65,711".

Amendment No. 130

On page 26, line 12, of said bill, strike out "306,285", and insert "307,204".

Amendment No. 131

On page 26, line 44, of said bill, strike out "1,346,052", and insert "1,417,772".

Amendment No. 132

On page 27, line 3, of said bill, strike out "1,159,750", and insert "1,220,920".

Amendment No. 133

On page 27, line 4, of said bill, strike out "221,239", and insert "227,989".

Amendment No. 134

On page 27, line 5, of said bill, strike out "26,063", and insert "29,863".

Amendment No. 135

On page 27, line 7, of said bill, strike out "1,407,052", and insert "1,478,772".

Amendment No. 136

On page 27, line 14, of said bill, strike out "134", and insert "135".

Amendment No. 137

On page 27, line 16, of said bill, strike out "1,346,052", and insert "1,417,772".

Amendment No. 138

On page 27, line 51, of said bill, strike out "1,113,116", and insert "1,122,556".

Amendment No. 139

On page 28 of said bill, strike out line 3, and insert "Capitol, state office buildings, and rented office buildings, Department".

Amendment No. 140

On page 28, line 5, of said bill, following "decorations", insert ", Department of Finance".

Amendment No. 141

On page 28, line 36, of said bill, strike out "55,447", and insert "51,084".

Amendment No. 142

On page 28 of said bill, strike out lines 38 to 42, inclusive, and insert

"(a) Salaries and Wages	34,220
(b) Operating Expenses	12,450
(c) Equipment	4,414

Total of schedule 51,084".

Amendment No. 143

On page 29, line 4, of said bill, strike out "120,000", and insert "168,300".

Amendment No. 144

On page 29 of said bill, strike out lines 8 to 16, inclusive.

Amendment No. 145

On page 29, line 26, of said bill, strike out "81,335", and insert "83,375".

Amendment No. 146

On page 29, line 28, of said bill, strike out "58,155", and insert "60,195".

Amendment No. 147

On page 29, line 32, of said bill, strike out "81,335", and insert "83,375".

Amendment No. 148

On page 31, line 5, of said bill, strike out "121,956", and insert "125,956".

Amendment No. 149

On page 31, line 7, of said bill, strike out "82,005", and insert "85,005".

Amendment No. 150

On page 31, line 8, of said bill, strike out "34,151", and insert "35,151".

Amendment No. 151

On page 31, line 11, of said bill, strike out "121,956", and insert "125,956".

Amendment No. 152

On page 31, line 19, of said bill, strike out "284,550", and insert "278,790".

Amendment No. 153

On page 31, line 25, of said bill, strike out "372,330", and insert "366,570".

Amendment No. 154

On page 31, line 29, of said bill, strike out "497,550", and insert "491,790".

Amendment No. 155

On page 31, line 36, of said bill, strike out "284,550", and insert "278,790".

Amendment No. 156

On page 31, line 39, of said bill, strike out "161,782", and insert "160,907".

Amendment No. 157

On page 31, line 43, of said bill, strike out "5,894", and insert "5,019".

Amendment No. 158

On page 31, line 45, of said bill, strike out "161,782", and insert "160,907".

Amendment No. 159

On page 31, line 48, of said bill, strike out "991,034", and insert "977,694".

Amendment No. 160

On page 32, line 3, of said bill, strike out "830,975", and insert "818,975".

Amendment No. 161

On page 32, line 5, of said bill, strike out "28,175", and insert "26,835".

Amendment No. 162

On page 32, line 7, of said bill, strike out "991,034", and insert "977,694".

Amendment No. 163

On page 32 of said bill, following line 7, insert "Provided that any existing war emergency positions are extended to June 30, 1948, only."

Amendment No. 164

On page 32, line 28, of said bill, strike out "353,972", and insert "352,477".

Amendment No. 165

On page 32, line 32, of said bill, strike out "14,747", and insert "13,252".

Amendment No. 166

On page 32, line 34, of said bill, strike out "353,972", and insert "352,477".

Amendment No. 167

On page 32, line 37, of said bill, strike out "157,202", and insert "159,602".

Amendment No. 168

On page 32, line 40, of said bill, strike out "36,240", and insert "38,640".

Amendment No. 169

On page 32, line 43, of said bill, strike out "157,202", and insert "159,602".

Amendment No. 170

On page 32, line 45, of said bill, strike out "158,258", and insert "156,858".

Amendment No. 171

On page 32, line 49, of said bill, strike out "9,415", and insert "8,015".

Amendment No. 172

On page 32, line 51, of said bill, strike out "158,258", and insert "156,858".

Amendment No. 173

On page 34, line 22, of said bill, strike out "1,440,137", and insert "1,427,957".

Amendment No. 174

On page 34, line 27, of said bill, strike out "178.5", and insert "177".

Amendment No. 175

On page 34, line 31, of said bill, strike out "1,208,590", and insert "1,198,410".

Amendment No. 176

On page 34, line 33, of said bill, strike out "85,705", and insert "83,705".

Amendment No. 177

On page 34, line 35, of said bill, strike out "1,654,082", and insert "1,641,902".

Amendment No. 178

On page 34, line 44, of said bill, strike out "178.5", and insert "177".

Amendment No. 179

On page 34, line 46, of said bill, strike out "1,440,137", and insert "1,427,957".

Amendment No. 180

On page 34 of said bill, after line 46, insert

"176.1. For additional support of Department of Justice for enforcing the provisions of "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, as amended, and as the same shall hereafter be amended----- 75,180".

Amendment No. 181

On page 35, line 29, of said bill, strike out "66,400", and insert "75,400".

Amendment No. 182

On page 35, line 29, of said bill, after "Hygiene", insert ", Department of Mental Hygiene".

Amendment No. 183

On page 35, line 45, of said bill, strike out "Clinics", and insert "Clinic at Los Angeles".

Amendment No. 184

On page 35, line 46, of said bill, strike out "186,133", and insert "34,510".

Amendment No. 185

On page 35, line 48, of said bill, strike out "138,703", and insert "29,520".

Amendment No. 186

On page 35, line 49, of said bill, strike out "22,450", and insert "4,490".

Amendment No. 187

On page 35, line 50, of said bill, strike out "24,980", and insert "500".

Amendment No. 188

On page 35, line 52, of said bill, strike out "186,133", and insert "34,510".

Amendment No. 189

On page 37, line 2, of said bill, strike out the comma after "equipment".

Amendment No. 190

On page 40, line 40, of said bill, insert a comma after "complement".

Amendment No. 191

On page 42, line 16, of said bill, strike out "12,066,020", and insert "11,912,761".

Amendment No. 192

On page 42, line 21, of said bill, strike out "9,257,628", and insert "9,391,128".

Amendment No. 193

On page 42, line 22, of said bill, strike out "2,811,295", and insert "2,526,951".

Amendment No. 194

On page 42, line 23, of said bill, strike out "932,413", and insert "929,998".

Amendment No. 195

On page 42, line 25, of said bill, strike out "13,001,336", and insert "12,848,077".

Amendment No. 196

On page 42, line 30, of said bill, strike out "12,066,020", and insert "11,912,761".

Amendment No. 197

On page 42 of said bill, following line 36, insert

"226.5—For additional support, Department of Motor Vehicles, payable from the Motor Vehicle License Fee Fund..... 35,000 to be transferred upon executive order of the Director of Finance to the Motor Vehicle Fund in augmentation of Item 225, provided that any expenditure from this item is contingent upon the necessity for revaluation of vehicles as directed by Sections 10753 and 10753.5 of the Revenue and Taxation Code."

Amendment No. 198

On page 42 of said bill, between lines 36 and 37, insert

"226.6—For repairs, alterations, and improvement of the California Highway Patrol office at Merced, Department of Motor Vehicles, payable from the Motor Vehicle Fund..... 13,000".

Amendment No. 199

On page 42, line 42, of said bill, strike out "120,314", and insert "123,929".

Amendment No. 200

On page 43, line 3, of said bill, strike out "185,655", and insert "190,085".

Amendment No. 201

On page 43, line 4, of said bill, strike out "16,460", and insert "16,925".

Amendment No. 202

On page 43, line 7, of said bill, strike out "210,880", and insert "215,775".

Amendment No. 203

On page 43, line 10, of said bill, strike out "90,566", and insert "91,846".

Amendment No. 204

On page 43, line 12, of said bill, strike out "120,314", and insert "123,929".

Amendment No. 205

On page 43, line 16, of said bill, strike out "1,381,755", and insert "1,379,305".

Amendment No. 206

On page 43, line 19, of said bill, following "division", insert " ; provided that \$15,000 of the amount herein appropriated is available only for title and escrow expenses not provided in any other appropriations."

Amendment No. 207

On page 43, line 22, of said bill, strike out "314,164", and insert "329,414".

Amendment No. 208

On page 43, line 23, of said bill, strike out "177,227", and insert "179,527".

Amendment No. 209

On page 43, line 25, of said bill, strike out "1,376,655", and insert "1,394,205".

Amendment No. 210

On page 43, line 31, of said bill, strike out "1,361,755", and insert "1,379,305".

Amendment No. 211

On page 43, line 36, of said bill, strike out "887,401", and insert "900,563".

Amendment No. 212

On page 43, line 38, of said bill, strike out "295,800", and insert "300,188".

Amendment No. 213

On page 44, line 10, of said bill, strike out "142,000", and insert "100,000".

Amendment No. 214

On page 44 of said bill, after line 16, insert "together with any balance remaining in Item 193 of the Budget Act of 1945,".

Amendment No. 215

On page 44, line 29, of said bill, strike out "100,000", and insert "123,225".

Amendment No. 216

On page 45 of said bill, between lines 5 and 6, insert
"235.5—For acquisition of land at La Purissima Mission State Historical Monument, Division of Beaches and Parks, Department of Natural Resources, payable from the State Park Fund----- 60,000".

Amendment No. 217

On page 45, line 24, of said bill, strike out "150,000", and insert "100,000".

Amendment No. 218

On page 46 of said bill, between lines 35 and 36, insert
"245.5—For the construction of rearing pens for pheasants on the property near Los Banos, California, under the control of the Division of Fish and Game, Department of Natural Resources, payable from the Fish and Game Preservation Fund----- 15,000".

Amendment No. 219

On page 46, line 38, of said bill, strike out "5,832,593", and insert "5,576,593".

Amendment No. 220

On page 46, line 46, of said bill, strike out "1,243,151", and insert "987,151".

Amendment No. 221

On page 46, line 48, of said bill, strike out "6,752,677", and insert "6,496,677".

Amendment No. 222

On page 47, line 11, of said bill, strike out "5,832,593", and insert "5,576,593".

Amendment No. 223

On page 46 of said bill, following line 48, insert "Of the amount herein appropriated the sum of sixty-four thousand six hundred ninety-three dollars (\$64,693) which represents an increased appropriation for the Division of Forestry, Department of Natural Resources, over the expenditures for the 1946-47 Fiscal Year, is available for matching federal funds for agricultural marketing research under the provisions of Public Law 433 passed August 14, 1946, which provides federal assistance to agricultural marketing research."

Amendment No. 224

On page 47, line 46, of said bill, strike out "250,000", and insert "750,000".

Amendment No. 225

On page 48 of said bill, after line 5, insert "provided at least 75 percent of any such purchase by value shall comprise cut-over land."

Amendment No. 226

On page 48, line 14, of said bill, strike out "70,354", and insert "70,354".

Amendment No. 227

On page 48, line 17, of said bill, strike out "210,521", and insert "216,521".

Amendment No. 228

On page 49 of said bill, strike out lines 9 to 15, inclusive, and insert "accordance with the following schedule"-----

65,987

Schedule:

(a) Salaries and Wages	29,249
(b) Operating Expenses	36,268
(c) Equipment	470

Total of schedule ----- 65,987".

Amendment No. 229

On page 49 of said bill, strike out lines 28 to 34, inclusive, and insert "in accordance with the following schedule"-----

119,900

Schedule:

(a) Salaries and Wages	95,340
(b) Operating Expenses	23,949
(c) Equipment	611

Total of schedule ----- 119,900".

Amendment No. 230

On page 50, line 29, of said bill, strike out "303,586", and insert "319,934".

Amendment No. 231

On page 50, line 31, of said bill, strike out "196,870", and insert "212,410".

Amendment No. 232

On page 50, line 32, of said bill, strike out "86,943", and insert "87,263".

Amendment No. 233

On page 50, line 33, of said bill, strike out "19,773", and insert "20,261".

Amendment No. 234

On page 50, line 35, of said bill, strike out "303,586", and insert "319,934".

Amendment No. 235

On page 50 of said bill, strike out lines 38 to 45, inclusive, and insert "ing schedule"-----

130,737

Schedule:

(a) Salaries and Wages	79,460
(b) Operating Expenses	50,020
(c) Equipment	1,257

Total of schedule ----- 130,737".

Amendment No. 236

On page 51 of said bill, strike out lines 22 to 28, inclusive, and insert "ance with the following schedule"-----

27,656

Schedule:

(a) Salaries and Wages	15,241
(b) Operating Expenses	11,216
(c) Equipment	1,199

Total of schedule ----- 27,656".

Amendment No. 237

On page 51 of said bill, strike out lines 34 to 40, inclusive, and insert "ule"-----

135,090

Schedule:

(a) Salaries and Wages	91,330
(b) Operating Expenses	37,690
(c) Equipment	6,070

Total of schedule ----- 135,090".

Amendment No. 238

On page 52 of said bill, strike out lines 14 to 20, inclusive, and insert "accordance with the following schedule"----- 21,019

Schedule:

(a) Salaries and Wages -----	12,130
(b) Operating Expenses -----	8,465
(c) Equipment -----	424

Total of schedule ----- 21,019".

Amendment No. 239

On page 52 of said bill, strike out lines 34 to 40, inclusive, and insert "following schedule"----- 14,923

Schedule:

(a) Salaries and Wages -----	8,740
(b) Operating Expenses -----	6,083
(c) Equipment -----	100

Total of schedule ----- 14,923".

Amendment No. 240

On page 53, line 45, of said bill, strike out "2,245,971", and insert "2,235,971".

Amendment No. 241

On page 54, line 10, of said bill, strike out "4,869,944", and insert "4,861,944".

Amendment No. 242

On page 54, line 11, of said bill, strike out "110,419", and insert "108,419".

Amendment No. 243

On page 54, line 16, of said bill, strike out "7,728,770", and insert "7,718,770".

Amendment No. 244

On page 54, line 27, of said bill, strike out "2,245,971", and insert "2,235,971".

Amendment No. 245

On page 54 of said bill, strike out lines 44 to 50, inclusive, and insert "the following schedule"----- 1,071,001

Schedule:

(a) Salaries and Wages -----	936,335
(b) Operating Expenses -----	109,373
(c) Equipment -----	25,293

Total of schedule ----- 1,071,001".

Amendment No. 246

On page 55 of said bill, strike out lines 6 to 12, inclusive, and insert "schedule"----- 1,000,923

Schedule:

(a) Salaries and Wages -----	751,095
(b) Operating Expenses -----	212,367
(c) Equipment -----	37,461

Total of schedule ----- 1,000,923".

Amendment No. 247

On page 56, line 19, of said bill, strike out "1,140,710", and insert "840,710".

Amendment No. 248

On page 56, line 29, of said bill, strike out "554,187", and insert "254,187".

Amendment No. 249

On page 56, line 34, of said bill, strike out "1,178,165", and insert "878,165".

Amendment No. 250

On page 56, line 39, of said bill, strike out "1,140,710", and insert "840,710".

Amendment No. 251

On page 56 of said bill, after line 39, insert
 "292.5—For topographic mapping in cooperation with the Federal Govern-
 ment, Division of Water Resources, Department of Public Works,
 provided that any amount withdrawn from this item must be matched
 by an expenditure of a like amount by the Federal Government in this
 State for this purpose----- 300,000".

Amendment No. 252

On page 57, line 34, of said bill, strike out "51,845", and insert "57,465".

Amendment No. 253

On page 57, line 36, of said bill, strike out "33,520", and insert "34,320".

Amendment No. 254

On page 57, line 37, of said bill, strike out "17,850", and insert "22,250".

Amendment No. 255

On page 57, line 38, of said bill, strike out "475", and insert "895".

Amendment No. 256

On page 57, line 40, of said bill, strike out "51,845", and insert "57,465".

Amendment No. 257

On page 58, line 19, of said bill, strike out "1,297,126", and insert "1,295,237".

Amendment No. 258

On page 58, line 35, of said bill, strike out "431,601", and insert "428,782".

Amendment No. 259

On page 58, line 40, of said bill, strike out "1,939,385", and insert "1,936,566".

Amendment No. 260

On page 58, line 42, of said bill, strike out "642,259", and insert "641,329".

Amendment No. 261

On page 58, line 44, of said bill, strike out "1,297,126", and insert "1,295,237".

Amendment No. 262

On page 58, line 27, of said bill, strike out "4", and insert "12".

Amendment No. 263

On page 59, line 45, of said bill, strike out "961,311", and insert "957,711".

Amendment No. 264

On page 60, line 5, of said bill, strike out "878,836", and insert "875,236".

Amendment No. 265

On page 60, line 9, of said bill, strike out "1,387,911", and insert "1,384,311".

Amendment No. 266

On page 60, line 17, of said bill, strike out "961,311", and insert "957,711".

Amendment No. 267

On page 62, line 47, of said bill, strike out "1,500,000", and insert "2,000,000".

Amendment No. 268

On page 63 of said bill, between lines 5 and 6, insert

"For state officers and employees whose compensation, or portion thereof, is payable from special funds, there is appropriated from each special fund from which such officers and employees are paid an amount sufficient to provide increases in compensation for each such officer or employee in accordance with this item, which amount is to be made available by the Governor and Director of Finance under the provisions of Section 11006 of the Government Code.

Before the State Personnel Board or other salary fixing authority establishes any increased salary range during the 1947-48 Fiscal Year, a certification shall be obtained from the Director of Finance that sufficient money either is available in appropriations for support of the agencies or can be made available from the appropriation in this item, to meet the cost of the increased salary range."

Amendment No. 269

On page 63, line 17, of said bill, strike out "1,355,462"; and insert "1,398,702".

Amendment No. 270

On page 63, line 24, of said bill, strike out "1,310,533", and insert "1,353,773".

Amendment No. 271

On page 63, line 27, of said bill, strike out "1,361,962", and insert "1,405,202".

Amendment No. 272

On page 63, line 32, of said bill, strike out "1,355,462", and insert "1,398,702".

Amendment No. 273

On page 63, line 21, of said bill, strike out the period, and insert "; provided, however, that no part of this appropriation may be expended for the purchase of any textbook or supplement thereto which is any way a part of the "Building America Series" or a duplication thereof whether known by that name or any other name."

Amendment No. 274

On page 63, line 40, of said bill, strike out "318,240", and insert "311,040".

Amendment No. 275

On page 65, line 15, of said bill, strike out "110,000", and insert "155,000".

Amendment No. 276

On page 65, line 42, of said bill, strike out "value", and insert "price".

Amendment No. 277

On page 65, line 47, of said bill, strike out "one hundred twenty-eight million four".

Amendment No. 278

On page 66, lines 1 and 2, of said bill, strike out "hundred forty-six thousand two hundred fifty dollars (\$128,446,250)", and insert "thirty-five million two hundred ninety-six thousand two hundred fifty dollars (\$35,296,250)".

Amendment No. 279

On page 66, line 8, of said bill, strike out "33,107,000", and insert "10,707,000".

Amendment No. 280

On page 66, line 9, of said bill, strike out "16,417,000", and insert "4,717,000".

Amendment No. 281

On page 66, line 10, of said bill, strike out "31,700,000", and insert "2,300,000".

Amendment No. 282

On page 66, line 11, of said bill, strike out "10,422,250", and insert "4,322,250".

Amendment No. 283

On page 66 of said bill, strike out line 12.

Amendment No. 284

On page 66, line 13, of said bill, strike out "2,060,000", and insert "860,000".

Amendment No. 285

On page 66 of said bill, strike out lines 14 to 17, inclusive.

Amendment No. 286

On page 66, line 18, of said bill, strike out "315,000", and insert "90,000".

Amendment No. 287

On page 66 of said bill, strike out lines 19, 20, and 21.

Amendment No. 288

On page 66, line 22, of said bill, strike out "5,000,000", and insert "2,000,000".

Amendment No. 289

On page 66 of said bill, strike out lines 24 to 26, inclusive, and insert "Miscellaneous repairs and improvements-----7,500,000".

Amendment No. 290

On page 66 of said bill, between lines 30 and 31, insert

"SEC. 4.5. There is hereby appropriated from the General Fund the sum of ninety-three million one hundred fifty thousand dollars (\$93,150,000) to be transferred on the effective date of this act to the Postwar Employment Reserve to be expended for construction, improvement and equipment for state agencies as may hereafter be authorized by the Legislature.

Part or all of the sum appropriated by this section may be transferred in bonds valued at their market price, plus accrued interest computed as of the effective date of the transfer."

Amendment No. 291

On page 66, line 29, of said bill, after "price", insert a comma.

Amendment No. 292

On page 66, line 30, of said bill, strike out the comma after "interest".

Amendment No. 293

On page 66 of said bill, between lines 30 and 31, insert

"SEC. 4.6. Wherever herein an appropriation is made for construction, improvements, repairs, and equipment, any construction or improvement project exceeding five thousand dollars (\$5,000) in cost shall be subject to the provisions of Sections 3, 12, and 13 of Chapter 145, Statutes of 1946 (First Extraordinary Session)."

Amendment No. 294

On page 66, line 41, of said bill, strike out "16003", and insert "16304"; and after "Code", insert "or any other provision of law".

Amendment No. 295

On page 68, line 5, of said bill, strike out
"SEC. 10."

Amendment No. 296

On page 68, line 8, of said bill, after the period, insert
"Sec. 10." and begin a new paragraph.

Amendment No. 297

On page 68, line 51, of said bill, strike out "5", and insert "10".

Amendment No. 298

On page 68, line 50, of said bill, strike out "1", and insert "3".

Amendment No. 299

On page 69, line 5, of said bill, strike out "5", and insert "10".

Amendment No. 300

On page 71, line 10, of said bill, strike out "Institutions", and insert "Mental Hygiene".

Amendment No. 301

On page 71, line 25, of said bill, strike out "from the General Fund for the support of", and insert "for".

Amendment No. 302

On page 71, line 28, of said bill, following the comma after "jurisdiction", insert "upon certification by the Department of Finance as to the amount".

Amendment No. 303

On page 71, line 30, of said bill, strike out "the support of".

Amendment No. 304

On page 71, line 9, of said bill, strike out "Institutions", and insert "Mental Hygiene".

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1059—An act to add Sections 2013, 2141.5, and 2141.6 to the Business and Professions Code, relating to offenses against the chapter on medicine and surgery.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Business and Professions:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 21, 1947, strike out, "X-ray".

Amendment No. 2

On page 1, line 8, of said bill, after "tions," insert "or X-ray for treatment of any condition of any human being,".

Amendment No. 3

On page 1, line 22, of said bill, strike out "when such chiropo-"; and strike out line 23, and insert " , or their assistants when such assistants are acting under their direct supervision."

Amendment No. 4

On page 2, line 16, of said bill, strike out "when"; strike out line 17; and in line 18, strike out "of the foot;" and insert " , or their assistants when such assistants are acting under their direct supervision;".

Amendment No. 5

On page 2, line 19, of said bill, strike out "or", and insert a comma.

Amendment No. 6

On page 2, line 19, of said bill, strike out the period, and insert " , or an X-ray technologist."

Amendments read, and adopted.

Bill ordered printed, engrossed, and to third reading.

Senate Bill No. 1069—An act to amend Section 2384 of the Business and Professions Code, relating to disciplinary actions under the chapter on medicine and surgery.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 516—An act to amend Sections 8505, 8507, and 8562 of the Business and Professions Code, relating to the regulation of structural pest control.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill No. 1475—An act to add Section 7032 to the Business and Professions Code, relating to contractors.

Bill read second time, ordered engrossed, and to third reading.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1445—An act to amend Sections 254, 255, 256, 263, and 271 of the Health and Safety Code, and to amend and renumber Sections 257 and 258 of said code, to add Section 257.5 to said code, and to repeal Sections 265 and 266 of said code, relating to physically handicapped children.

Bill read second time, and ordered to third reading.

Assembly Bill No. 380—An act to add Section 1767.4 to the Welfare and Institutions Code, relating to payment of the expense of returning to the Youth Authority persons paroled by the Youth Authority.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1520—An act amending Section 2163 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amending Section 2163 of", and insert "adding Section 2162.5 to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 2162.5 is added to the Welfare and Institutions Code, to read:

2162.5. No aid under this chapter shall be granted or paid to any person who owns personal property the value of which, less all encumbrances of record, exceeds one thousand dollars (\$1,000).

The term personal property shall not include a policy or policies of life insurance on the life of the applicant or recipient which has or have been in effect at least five years prior to the date of application, if the value of the policy or policies at maturity is in an amount not exceeding one thousand dollars (\$1,000). No life insurance policy shall be valued at more than its present surrender value to the applicant or recipient. Premiums paid on life insurance policies shall not be deemed income or resources of the applicant or recipient, whether or not the person by whom the premiums are paid is a responsible relative of the applicant or recipient, and no deduction therefor shall be made from the amount of aid granted to the recipient.

This section shall remain in effect until the ninety-first day after final adjournment of the 1949 Regular Session of the Legislature. While this section is in effect it shall supersede Section 2163 of this code, and wherever in any provision of law reference is made to Section 2163, such reference shall be deemed to refer to this section; but Section 2163 is not repealed by this section and after this section is no longer in effect Section 2163 shall have the same force and effect as though this section had not been enacted."

Amendment No. 3

On page 1 of said bill, strike out lines 2 through 19, inclusive.

Amendments read, and adopted.

Bill ordered printed, and re-referred to Committee on Social Welfare.

Assembly Bill No. 390—An act to amend Section 212 of the Labor Code, relating to the payment of wages.

Bill read second time, and ordered to third reading.

Assembly Bill No. 964—An act to add Section 1352.1 to the Labor Code, relating to the working hours of women employed in executive, administrative or professional capacity.

Bill read second time, and ordered to third reading.

Assembly Bill No. 500—An act to amend Sections 1622, 1623, 1629, 1631, and 1635 of the Labor Code, relating to private employment agencies.

Bill read second time, and ordered to third reading.

Assembly Bill No. 961—An act adding Chapter 5, comprising Sections 19800 through 19809, inclusive, to Division 8 of the Business and Professions Code and to repeal Chapter 704 of the Statutes of 1921, relating to standard bread loaves, wrappings and markings.

Bill read second time, and ordered to third reading.

THIRD READING OF SENATE BILLS

Senate Bill No. 702—An act to add Section 18596 to the Government Code, relating to the Chief of the State Division of Beaches and Parks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Cunningham, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Kraft, Parkman, Powers, Quinn, Rich, Salsman, Slater, Watson, and Weybret—21.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Bill No. 406—An act to amend Section 1102.4 of the Agricultural Code, relating to eggs.

Bill read third time.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Donnelly moved a call of the Senate.

Motion carried. Time, 10.29 a.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

REPORTS OF STANDING COMMITTEES

Committee on Education

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Education, to which was referred: Senate Bill No. 594

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and re-refer to the Committee on Finance.

Committee membership 9; committee vote: Ayes 9.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Education, to which were referred:

Assembly Bill No. 229

Assembly Bill No. 1075

Assembly Bill No. 357

Assembly Bill No. 1530

Assembly Bill No. 527

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 9.

SLATER, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Assembly Joint Resolution No. 39

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 9.

SLATER, Chairman

Above reported resolution ordered to third reading.

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Education, to which was referred:

Senate Bill No. 302

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

Committee membership 9; committee vote: Ayes 9.

SLATER, Chairman

Above reported bill ordered to second reading.

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Education, to which were referred:

Senate Bill No. 638

Senate Bill No. 764

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 9; committee vote: Ayes 9.

SLATER, Chairman

Above reported bills ordered to second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 10.30 a.m., on motion of Senator Donnelly, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Bill No. 406 passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Cunningham, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Watson, and Weybret—24.

NOES—None.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 241—An act to amend Section 108 of the Civil Code, relating to divorce actions on grounds of insanity.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Cunningham, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Watson, and Weybret—23.

NOES—None.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 11—Relative to memorializing and petitioning the Congress of the United States to appropriate the funds

authorized by the Agricultural Marketing Act of 1946 (Public Law 733, Seventy-ninth Congress), for agricultural marketing and research, at the earliest possible date.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Cunningham, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, and Watson—22.

NOES—None.

Resolution ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 18—An act to amend Section 1346 of the Fish and Game Code, relating to antelope.

Bill read third time, and presented by Senator Burns.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, and Weybret—24.

NOES—Senators Gordon and Watson—2.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1721—An act to amend Section 17000 of the Government Code, relating to issuance of state warrants.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, Watson, Weybret, and Williams—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Chief Assistant Secretary Cleve V. Taylor at the Desk

Assembly Bill No. 1722—An act to repeal Section 17001 of the Government Code, relating to issuance of state warrants.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1723—An act to repeal Section 17003 of the Government Code, relating to issuance of state warrants.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Hatfield, Hulse, Judah, Kraft, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1724—An act to amend Section 17006 of the Government Code, relating to furnishing the Treasurer with a list of warrants issued.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1725—An act to add Section 17007 to the Government Code, relating to the designation by codes of funds, appropriations, revenues and accounts on the records of the Controller and Treasurer.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Weybret—29.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1726—An act to amend Sections 17030, 17031, and 17032 and repeal Sections 17033 and 17034 of the Government Code, relating to issuance of warrants.

Bill read third time, and presented by Senator Breed.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, and Watson—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 433—An act making an appropriation in augmentation of the appropriation in Item 200 of the Budget Act of 1945, for support of the Division of Forestry, Department of Natural Resources.

Bill read third time, and presented by Senator Rich.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 433:

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, April 22, 1947

*To the Honorable Members of the Senate
Sacramento, California*

GENTLEMEN:

Assembly Bill No. 433—"An act making an appropriation in augmentation of the appropriation in Item 200 of the Budget Act of 1945, for support of the Division of Forestry, Department of Natural Resources."

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 433 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Powers, Quinn, Rich, Salsman, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

MOTIONS TO RECONSIDER

Senate Bill No. 1493—An act to add Chapter 7, comprising Sections 1115, 1116, and 1117, to Part 3, Division 2 of the Labor Code, relating to jurisdictional strikes.

Postponement of Reconsideration

Senator Rich moved that his motion to reconsider the vote whereby the amendment by Senator Crittenden to Senate Bill No. 1493 was adopted be continued to the next legislative day.

The roll was called, and the motion carried by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Weybret—29.

NOES—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 642—An act to authorize the Director of Finance to sell and convey certain real property and making an appropriation of a portion of the proceeds thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Busch, Carter, Collier, Crittenden, Cunningham, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Tenney, Ward, Watson, and Weybret—26.

NOES—None.

Motion to Reconsider

Senator Gordon moved to reconsider the vote whereby Senate Bill No. 642 was passed.

Postponement of Reconsideration

On motion of Senator Gordon, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 642 was passed, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 418—An act to add Sections 22252.1 and 22252.2 to, and to amend Section 22257 of, the Water Code, relating to irrigation districts and the distribution of water in irrigation districts, declaring the urgency of this act, to take effect immediately.

Bill read third time, and presented by Senator Donnelly.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, and Watson—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1093—An act to amend Section 13502 of the Education Code, relating to district retirement plans, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Weybret—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Weybret—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1094—An act to amend Section 14135.1 of the Education Code, relating to district retirement plans, declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Senator Tenney.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Weybret—27.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, Crittenden, Cunningham, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, and Weybret—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1095—An act to amend Section 14736 of the Education Code, relating to district retirement salary plans.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Dilworth, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1099—An act to amend Section 16271 of the Education Code, relating to school busses.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Donnelly, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Rich, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1385—An act to add Section 14744 to the Education Code, relating to school district retirement plans.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Carter, Collier, Crittenden, Cunningham, Donnelly, Gordon, Hatfield, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1046—An act to amend Section 7968 of the Elections Code, relating to the record of votes cast.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Keating, Kraft, Mayo, McBride, Parkman, Powers, Quinn, Salsman, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 121—An act to amend the Elections Code of the State of California by adding thereto a new section to be numbered 8558 and to amend Sections 8572 and 8652 thereof, all relating to the costs of election contests.

Bill read third time, and presented by Senator Tenney.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Desmond, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, Parkman, Powers, Salsman, Slater, Tenney, Ward, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2467—An act to provide for works for development and protection of the beach at Ocean Beach and providing for the continued availability therefor of funds presently available under agreement pursuant to Chapter 942, Statutes of 1941.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, McBride, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 13—Relative to Sergeants in the State Police.

Resolution read, and presented by Senator Keating.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, McBride, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 1019—An act to amend Section 1157 of the Government Code, relating to pay roll deductions of public employees.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Crittenden, Cunningham, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, McBride, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1327—An act amending Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Bill read third time, and presented by Senator Ward.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, McBride, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 10—An act to amend Section 5437 of the Public Resources Code, relating to qualifications of voters of county recreation districts.

Bill read third time, and presented by Senator Slater.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating,

Kraft, McBride, Powers, Quinn, Slater, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1707—An act to amend Section 20009.1 of the Government Code, relating to the Retirement System.

Bill read third time, and presented by Senator Quinn.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Desmond, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Kraft, McBride, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—25.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 110—An act to amend Section 5065 of the Streets and Highways Code, relating to posting of notices in proceedings under the Improvement Act of 1911.

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating, Kraft, McBride, Parkman, Powers, Quinn, Slater, Tenney, Ward, Watson, Weybret, and Williams—26.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 371—An act to amend Section 2709 of the Penal Code, relating to products of the employment of prisoners, and authorizing sale for private use of by-products of agricultural enterprises, under rules prescribed by the Director of Finance.

Bill read third time, and presented by Senator Weybret.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating, Kraft, McBride, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, Weybret, and Williams—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1626—An act to add Section 829.6 of the Agricultural Code, relating to sale of fruits and nuts in "consumer packages."

Bill read third time, and presented by Senator Weybret.

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating, Kraft, Parkman, Powers, Quinn, Salsman, Slater, Ward, Watson, Weybret, and Williams—24.

NOES—None.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered :

Senate Concurrent Resolution No. 44: By Senator Weybret—Relative to approving a certain amendment to the charter of the City of Pacific Grove, County of Monterey, State of California, voted for and ratified by the electors of the City of Pacific Grove at the general municipal election held therein on April 14, 1947.

Request for Unanimous Consent

Senator Weybret asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 44, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 44

Senate Concurrent Resolution No. 44—Relative to approving a certain amendment to the charter of the City of Pacific Grove, County of Monterey, State of California, voted for and ratified by the electors of the City of Pacific Grove at the general municipal election held therein on April 14, 1947.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Breed, Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating, Kraft, McBride, Parkman, Powers, Quinn, Salsman, Slater, Ward, Watson, Weybret, and Williams—25.
NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1532—An act to amend Sections 8, 9, and 13 of, and to add Sections 13.1, 13.2, and 18 to, Chapter 339 of the Statutes of 1923, relating to the possession, sale, and use of pistols, revolvers, and other firearms capable of being concealed upon the person, the registering of sales of such firearms, the granting of licenses or permits to carry the same concealed upon the person and to entitle said chapter "the Dangerous Weapons' Control Law."

Bill read third time, and presented by Senator Kraft.

The roll was called, and the bill passed by the following vote :

AYES—Senators Brown, Burns, Busch, Carter, Collier, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Hulse, Jespersen, Judah, Keating, Kraft, McBride, Parkman, Powers, Quinn, Salsman, Slater, Tenney, Ward, Watson, and Williams—25.
NOES—None.

Bill ordered transmitted to the Assembly.

Senator Carter Presiding

At 12.07 p.m., Senator Oliver J. Carter, of the Fifth District, presiding.

Secretary J. A. Beek at the Desk

President Pro Tempore of the Senate Presiding

At 12.35 p.m., Hon. Harold J. Powers, President pro Tempore of the Senate, presiding.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 1446

Assembly Bill No. 411

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

REPORTS OF STANDING COMMITTEES

Committee on Institutions

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Institutions, to which were referred:

Assembly Bill No. 1347

Assembly Bill No. 1847

Assembly Bill No. 1841

Assembly Bill No. 1849

Assembly Bill No. 1842

Assembly Bill No. 1851

Assembly Bill No. 1844

Assembly Bill No. 1855

Assembly Bill No. 1845

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 9; committee vote: Ayes 5; absent 4.

MAYO, Chairman

Above reported bills ordered to second reading.

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Institutions, to which was referred:

Assembly Bill No. 1846

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Judiciary.

Committee membership 9; committee vote: Ayes 5; absent 4.

MAYO, Chairman

Above reported bill re-referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Senators Hulse, Parkman, Burns, Ward, and Powers:

Senate Resolution No. 79

Relative to federal ownership of property within states and local governments

WHEREAS, The problem of the acquisition and ownership of federal lands in the several states is causing considerable concern because of the reduced evaluation base upon which local property taxes can be levied; and

WHEREAS, Such lands are and have been acquired for game reserves, forest reserves, public parks, public monuments, mineral reserves, federal building for governmental purposes, expanding military facilities, property acquired and used in a proprietary sense, and land remaining in public domain; and

WHEREAS, The accumulation of land for governmental purposes in the heart of metropolitan areas of large cities has substantially reduced the tax base used in the determination of the ad valorem tax; and

WHEREAS, The accumulation of land for these several purposes has increased in 10 years from 37 percent to 46 percent of all the lands in California; and

WHEREAS, Such accumulation has extended to 50 percent of all the lands in 17 counties of said State; and

WHEREAS, In all the 11 Western States, 47 percent of the land is owned by the Federal Government; and

WHEREAS, Such large accumulation of land by the Federal Government in California and the other 10 western states has been destructive to the fiscal structure of local government; and

WHEREAS, The withdrawal of such large amounts of land from taxation has left local government without adequate revenue for its support; and

WHEREAS, This loss of revenue can not be supplanted by other sources; and

WHEREAS, It is necessary for local government to provide protection of life and property, the maintenance and construction of streets, roads, and highways, and other local facilities to service the properties acquired by the Federal Government and the people living thereon; therefore, be it

Resolved by the Senate of the State of California, As follows:

(1) That the Federal Government assume its financial responsibilities in relation to local governmental jurisdictions where such property is located; that Congress immediately enact legislation to this end;

(2) That said legislation provide that local government be reimbursed in amount equivalent to taxes lost by virtue of such acquisitions by the Federal Government; or that such property as is owned by the Federal Government be permitted to be taxed locally in the same manner and to the same extent as other local property;

(3) That property now held by the Federal Government which is not clearly necessary for a public purpose be disposed of in order that it may be returned to the local tax rolls for the purpose of local taxation and support of local government; and be it further

Resolved, That the Secretary of the Senate is hereby directed to send copies of this resolution to the President of the United States, to the Secretary of the Treasury, to the Secretary of the Interior, to the Secretary of Agriculture, to the President pro Tempore of the Senate, to the Speaker of the House of Representatives, and to each of the Senators and Congressmen from California in the Congress of the United States, and that the Senators and Congressmen from California in the Congress of the United States are respectfully requested to urge such action.

Resolution read, and, on motion of Senator Hulse, adopted.

WITHDRAWAL FROM COMMITTEE OF SENATE BILL NO. 1073

Senator McBride moved that Senate Bill No. 1073 be withdrawn from Committee on Financial Institutions, for purpose of amendment, and re-referred to committee.

Motion carried.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 1073—An act to add Section 11603.5 to the Insurance Code, relating to the capital requirements of reserve basis insurers.

Bill read second time.

Motion to Amend

Senator McBride moved the adoption of the following amendment:

Amendment No. 1

Strike out lines 10 to 20, inclusive, of the printed bill, as amended on April 23, 1947, and insert

"11603.5. An incorporated insurer authorized by law to transact liability insurance shall upon application be permitted to transact fire insurance, subject to such limitations as may be contained in its articles of incorporation, if the paid-in capital of such insurer is not less than two hundred thousand dollars (\$200,000) in excess of the paid-in capital requirements for such classes of insurance as such carrier may be authorized to transact. No insurer shall be issued a certificate of authority other than a renewal certificate to transact fire insurance under the provisions of this section unless it possesses, in addition to the minimum paid-in capital required herein or by this code,

(a) A surplus of not less than 50 percent of the minimum paid-in capital required for all classes of insurance for which it is authorized or seeks to be authorized to transact in this State, in the case of an insurer which has transacted insurance for at least five years immediately preceding its admission for the class or classes of insurance for which it seeks admission, or

(b) A surplus of not less than 100 percent of the minimum paid-in capital required for all classes of insurance sought to be transacted by it in this State, or such lesser amount as the commissioner may deem adequate but in no event less than 50 percent of such minimum paid-in capital, in the case of any other insurer.

SEC. 2. If any section, sentence, clause, or part of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of

this act. The Legislature hereby declares that it would have passed this act, and each section, sentence, clause, or part thereof, irrespective of the fact that one or more sections, sentences, clauses, or parts shall be declared unconstitutional."

Amendment read, and adopted.

Bill ordered printed, and re-referred to Committee on Financial Institutions.

MOTION TO TAKE BILL FROM THE INACTIVE FILE

Senator Quinn moved that Senate Bill No. 1474 be taken from the inactive file, and placed on the second reading file.

Motion carried.

ADJOURNMENT

At 12.40 p.m., on motion of Senator Slater, the President declared the Senate adjourned until 2 p.m., Monday, May 5, 1947.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE

FIFTY-SEVENTH (GENERAL) SESSION

SENATE DAILY JOURNAL

FIFTY-EIGHTH LEGISLATIVE DAY
ONE HUNDRED TWENTIETH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO

Monday, May 5, 1947

The Senate met at 2 p.m.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Breed, Brown, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Donnelly, Gordon, Hatfield, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. William C. Pearson.

LEAVES OF ABSENCE FOR THE DAY

The following Senators were granted leaves of absence for the day:

Senator Dorsey, on motion of Senator Powers, due to illness.

Senator Deuel, on motion of Senator Powers, due to illness.

Senator Carter, on motion of Senator Powers, due to legislative business.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Jay T. Hull of Seattle, Mr. M. Arthur Waite, District Attorney, and Bob Ryan, County Engineer, of Ventura.

On request of Senator Watson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Lelia Eastman, Chairman of the Orange County Republican Central Committee, and the following members of the Young Republicans of Orange County: Mr. and Mrs. Walter Schmidt, Mr. and Mrs. Robert Gievet, Mr. Joe Liebe, Jr., Mr. and Mrs. Jules Begeran, Mr. and Mrs. Charles Gillman, Mr. and Mrs.

Frank Woodland, Mr. and Mrs. Maurice Stanley, Mr. and Mrs. Leroy Lyon, Mr. and Mrs. Robert Balch, Mr. and Mrs. Lawrence Nichols, Mr. Robert Banyard, Mr. and Mrs. Bruce Martin, Mr. Lynn Thomas, Mr. Leonard Tubach, Mr. Eddie Tubach, and Mr. J. A. Knapp.

On request of Senator Gordon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Bob Law, Mr. Gordon Grove, and Mr. and Mrs. Fred Law of Anaheim.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. John M. Wright of North Hollywood.

On request of Senator Desmond, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Donn Bonham, Pony Express Editor, Bob Young, Associate Editor, Kennie Cayocce, Men's Vice President, C. R. Peter, Photographer, all students of the Sacramento College.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 394
Assembly Bill No. 400
Assembly Bill No. 445
Assembly Bill No. 446
Assembly Bill No. 498
Assembly Bill No. 628
Assembly Bill No. 630
Assembly Bill No. 739
Assembly Bill No. 831

Assembly Bill No. 876
Assembly Bill No. 1144
Assembly Bill No. 1145
Assembly Bill No. 1453
Assembly Bill No. 1454
Assembly Bill No. 1455
Assembly Bill No. 2435
Assembly Bill No. 2665

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 394—An act to amend Sections 6501, 6590, and 6614 of the Business and Professions Code, relating to barbering.

Referred to Committee on Business and Professions.

Assembly Bill No. 400—An act to add Section 4573.5 to the Penal Code, relating to importation of drugs into prisons, institutions, camps, farms, and other places under the jurisdiction of the Department of Corrections.

Referred to Committee on Judiciary.

Assembly Bill No. 445—An act to amend Section 1920b of the Code of Civil Procedure, relating to the preservation of documentary records by the preparation of photographic copies thereof and providing that such copies may be used in place of the original under certain conditions.

Referred to Committee on Judiciary.

Assembly Bill No. 446—An act to amend Section 4095a of the Political Code and Section 26907 of the Government Code, relating to county records.

Referred to Committee on Local Government.

Assembly Bill No. 498—An act to amend Section 3700 of the Health and Safety Code, relating to the use of common drinking receptacles.

Referred to Committee on Public Health and Safety.

Assembly Bill No. 628—An act to amend Sections 2850, 2851, and 2853 of the Health and Safety Code and to add Section 2854 to said code, relating to pest abatement districts.

Referred to Committee on Local Government.

Assembly Bill No. 630—An act to amend Section 2300 of the Health and Safety Code, and to add Sections 2313 and 2314 to said code, relating to mosquito abatement districts.

Referred to Committee on Local Government.

Assembly Bill No. 739—An act to amend Section 1170 of the Probate Code, relating to the establishment of fact of death when title to real or personal property is affected by death of any person.

Referred to Committee on Judiciary.

Assembly Bill No. 831—An act to amend Section 92 of the Fish and Game Code, relating to District 22.

Referred to Committee on Fish and Game.

Assembly Bill No. 876—An act to add Section 1873 to the Civil Code, relating to lost property.

Referred to Committee on Judiciary.

Assembly Bill No. 1144—An act to repeal Section 790.5 of, and to add Section 790.5 to, the Agricultural Code, relating to emergency standards for fruits, nuts, and vegetables.

Referred to Committee on Agriculture.

Assembly Bill No. 1145—An act to amend Section 789.1 of the Agricultural Code, relating to responsibility for transportation of fruits, nuts, and vegetables.

Referred to Committee on Agriculture.

Assembly Bill No. 1453—An act to add Section 103p to the Code of Civil Procedure, to permit counties of the ninth class to provide for more than one justice of the peace in certain townships of Class A jurisdiction dependent upon the population thereof and prescribing their powers and duties.

Referred to Committee on Local Government.

Assembly Bill No. 1454—An act to amend Section 403b of the Civil Code, and Sections 4804 and 4807 of the Corporations Code, relating to corporations in winding up and dissolution.

Referred to Committee on Judiciary.

Assembly Bill No. 1455—An act to add Section 8.5 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen

by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to the completion of facilities remaining uncompleted by reason of cessation of work by the Federal Government pursuant to contracts for such work, making an appropriation and providing for the allocation thereof, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 2435—An act to add Sections 750.1 and 750.2 to the Insurance Code and to amend Section 12400 of the Insurance Code, relating to the payment of rebates and commissions by title insurers.

Referred to Committee on Financial Institutions.

Assembly Bill No. 2665—An act to amend Section 36 of the Civil Code, relating to contracts of minors.

Referred to Committee on Judiciary.

MOTION TO RECONSIDER

Senate Bill No. 1493—An act to add Chapter 7, comprising Sections 1115, 1116, and 1117, to Part 3, Division 2 of the Labor Code, relating to jurisdictional strikes.

Motion to Reconsider Senate Bill No. 1493

Pursuant to his motion previously made, Senator Rich moved that the Senate, at this time, reconsider the vote whereby Senate Bill No. 1493 was passed.

The roll was called, and Senate Bill No. 1493 reconsidered by the following vote:

AYES—Senators Breed, Brown, Busch, Crittenden, Cunningham, DeLap, Desmond, Dillinger, Dilworth, Gordon, Hatfield, Hulse, Judah, Keating, Kraft, Mayo, McBride, McCormack, Parkman, Powers, Quinn, Rich, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—31.

NOES—Senators Collier, Donnelly, and Jespersen—3.

CONSIDERATION OF SPECIAL ORDER

The hour of 2.30 p.m. having arrived, Senate Bills Nos. 1492 and 1493 were taken up.

Senate Bill No. 1492—An act to amend Section 1126 and to add Sections 1127, 1128, and 1129 to the Labor Code, relating to collective bargaining agreements and prohibiting attempts to cause or induce violations thereof.

Motion to Refer Bills to Inactive File

Senator Rich moved that Senate Bills Nos. 1492 and 1493 be placed on the inactive file.

Motion carried.

RECESS

At 2.35 p.m., on motion of Senator Powers, the Senate recessed until 4.30 p.m.

REASSEMBLED

At 4.30 p.m., the Senate reconvened.

Hon. Goodwin J. Knight, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 72

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By ROBERT J. FINNIE, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 72—Relative to Maurice Bradley Browne.

Request for Unanimous Consent

Senator Mayo asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 72, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 72

Assembly Concurrent Resolution No. 72—Relative to Maurice Bradley Browne.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dilworth, Donnelly, Gordon, Hulse, Jespersen, Judah, Keating, Kraft, Mayo, McBride, McCormack, O'Gara, Parkman, Powers, Quinn, Salsman, Slater, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 15

Assembly Concurrent Resolution No. 71

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

Assembly Constitutional Amendment No. 15—A resolution proposing to the people of the State of California to amend Section 23b of Article IV of the State Constitution, relating to expenses of Members of the Legislature.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 71—Relative to approving a certain amendment to the charter of the City of Redondo Beach, County of Los Angeles, State of California, voted for and ratified by the electors

of the City of Redondo Beach at the general municipal election held therein on April 8, 1947.

Resolution read, and ordered to third reading file.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 195

Senate Bill No. 353

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

Above bills ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 6

Senate Joint Resolution No. 17

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 27

Senate Bill No. 123

Senate Bill No. 164

Senate Bill No. 181

Senate Bill No. 226

Senate Bill No. 231

Senate Bill No. 248

Senate Bill No. 249

Senate Bill No. 306

Senate Bill No. 347

Senate Bill No. 369

Senate Bill No. 370

Senate Bill No. 371

Senate Bill No. 372

Senate Bill No. 373

Senate Bill No. 411

Senate Bill No. 450

Senate Bill No. 467

Senate Bill No. 468

Senate Bill No. 596

Senate Bill No. 598

Senate Bill No. 599

Senate Bill No. 601

Senate Bill No. 602

Senate Bill No. 714

Senate Bill No. 750

Senate Bill No. 754

Senate Bill No. 755

Senate Bill No. 774

Senate Bill No. 943

Senate Bill No. 955

Senate Bill No. 985

Senate Bill No. 987

Senate Bill No. 1057

Senate Bill No. 1058

Senate Bill No. 1063

Senate Bill No. 1065

Senate Bill No. 1068

Senate Bill No. 1070

Senate Bill No. 1071

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By RANDAL F. DICKEY, JR., Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1337

Senate Bill No. 1339

Senate Bill No. 1343

Senate Bill No. 49

Senate Bill No. 1416

Senate Bill No. 1476

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above bills ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 121

Assembly Bill No. 1385

Assembly Bill No. 189

Assembly Bill No. 2467

Assembly Bill No. 418

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1947

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 43

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By CARROLL PARISH, Assistant Clerk

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 100—An act to amend Sections 4242 and 4257 of the Political Code and Sections 28113 and 28128 of the Government Code, relating to compensation for public services;

Senate Bill No. 219—An act to amend Section 9028.5 of the Business and Professions Code, relating to proceedings for the suspension or revocation of certificates of registered social workers;

Senate Bill No. 221—An act to amend Sections 9594 and 9595 of the Business and Professions Code, relating to the regulation and licensing of cleaning, dyeing and pressing establishments and persons engaged therein;

Senate Bill No. 244—An act to amend Section 673 of the Vehicle Code, relating to mufflers;

Senate Bill No. 250—An act to repeal Chapter 10 of Division 2 of the Business and Professions Code, relating to trained hospital attendants;

Senate Bill No. 321—An act to repeal Chapter 5, comprising Sections 16500 to 16542, inclusive, of Part 1, Division 7, of the Business and Professions Code, and abolishing the Defense Training School Fund, relating to defense training schools;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1947, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 323—An act to amend Section 19431 of the Business and Professions Code, relating to the general office of California Horse Racing Board;

Senate Bill No. 335—An act to amend Section 4239 of the Political Code, and Section 28110 of the Government Code, relating to compensation for public service in counties of the tenth class;

Senate Bill No. 338—An act to amend Sections 21171 and 21173 of the Education Code, relating to cruises of vessels of the California Maritime Academy;

Senate Bill No. 352—An act to add Section 13943.5 to the Government Code, relating to the collection of taxes, licenses, fees, or other money;

Senate Bill No. 364—An act to amend Section 13942 of the Government Code, relating to authorizations by the State Board of Control discharging state agencies from accountability for the collection of taxes, licenses, fees, or other money;

Senate Bill No. 381—An act to add Section 13325 to the Government Code, relating to the approval of transactions by the Department of Finance;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1947, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 469—An act to add Section 16012 to the Government Code, relating to the disposition of unexpended balances of appropriations from the State Treasury;

Senate Bill No. 472—An act to amend Section 5 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations, approved June 20, 1944," abolishing the Postwar Public Works Review Board and transferring its duties, powers, purposes, responsibilities and jurisdiction to the State Allocation Board;

Senate Bill No. 479—An act to amend Section 718.5 of the Probate Code, relating to claims or demands by or against estates in probate;

Senate Bill No. 993—An act to amend Sections 18661, 18662, and 18671 of the Education Code, relating to the dedication, sale, granting and leasing of real property belonging to school districts and of interests therein, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1947, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Concurrent Resolution No. 40—Relative to approving amendments to the charter of the City of Chico, County of Butte, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of April, 1947;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the second day of May, 1947, at 4 p.m.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 299

Senate Bill No. 1069

Senate Bill No. 516

Senate Bill No. 1107

Senate Bill No. 949

Senate Bill No. 1475

Senate Bill No. 964

Senate Bill No. 1559

Senate Bill No. 967

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 2, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 671

Senate Bill No. 835

And reports the same correctly engrossed.

POWERS, Chairman

SENATE CHAMBER, SACRAMENTO, May 5, 1947

MR. PRESIDENT: The Committee on Rules has examined:

Senate Bill No. 930

Senate Bill No. 1059

Senate Concurrent Resolution No. 43

And reports the same correctly engrossed.

POWERS, Chairman



